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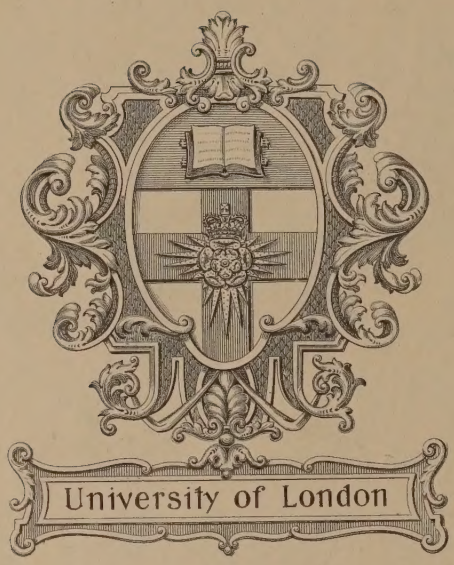

# REPORTS

FROM

# COMMITTEES:

*TWELVE VOLUMES.*

—(7.)—

## EMIGRANT SHIPS.

Session

31 *January* —— 12 *August* 1854.

VOL. XIII.

1854.

# REPORTS

FROM

# COMMITTEES:

VOL. XIII

# REPORTS FROM COMMITTEES:

1854.

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*TWELVE VOLUMES:—CONTENTS OF THE*

SEVENTH VOLUME.

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# FIRST

# REPORT

FROM THE

## SELECT COMMITTEE

ON

# EMIGRANT SHIPS;

*WITH THE*

## MINUTES OF EVIDENCE

TAKEN BEFORE THEM.

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*Ordered, by* The House of Commons, *to be Printed,*
6 *April* 1854.

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*Jovis, 2° die Martii,* 1854.

*Ordered,* THAT a Select Committee be appointed to inquire into the recent Cases of extensive Loss OF LIFE ABOARD EMIGRANT SHIPS, whether by Sickness, Wreck, or other Causes; and generally into the efficiency or otherwise of the existing Regulations for the Health and Protection of Emigrants from the United Kingdom.

*Mercurii, 8° die Martii,* 1854.

Committee nominated of,—

| | |
|---|---|
| Mr. John O'Connell. | Mr. Monckton Milnes. |
| Mr. Peel. | Mr. George A. Hamilton. |
| Mr. Chichester Fortescue. | Sir Thomas Herbert. |
| Mr. Vernon Smith. | Mr. Fagan. |
| Mr. Hankey. | Mr. Davison. |
| Sir James Anderson. | Captain Scobell. |
| Mr. Meagher. | Mr. Higgins. |
| Mr. Liddell. | |

*Ordered,* THAT the Committee have power to send for Persons, Papers, and Records.

*Ordered,* THAT Five be the Quorum of the Committee.

*Jovis, 6° die Aprilis,* 1854.

*Ordered,* THAT the Committee have power to Report the Minutes of Evidence taken before them, from time to time, to The House.

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# FIRST REPORT.

THE SELECT COMMITTEE appointed to inquire into the recent cases of extensive Loss of Life aboard Emigrant Ships, whether by Sickness, Wreck, or other Causes; and generally into the efficiency or otherwise of the existing Regulations for the Health and Protection of Emigrants from the United Kingdom, and who were empowered to Report the Minutes of Evidence taken before them from time to time to The House,—

HAVE taken Evidence on the Matters to them referred, and have agreed to Report the same to The House.

6 *April* 1854.

## LIST OF WITNESSES.

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# MINUTES OF EVIDENCE.

*Jovis*, 16° *die Martii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Mr. Meagher. |
| Mr. Peel. | Mr. Davison. |
| Mr. Chichester Fortescue. | Mr. Monckton Milnes. |
| Mr. Vernon Smith. | Mr. George A. Hamilton. |
| Mr. Hankey. | Sir Thomas Herbert. |
| Sir James Anderson. | Mr. Fagan. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

*Thomas William Clinton Murdoch*, Esq., called in; and Examined.

*T. W. C. Murdoch* Esq.

16 March 1854.

1. *Chairman.*] YOU have been Chairman of the Emigration Board since the year 1847?—Yes.

2. Mr. *Peel.*] What is your opinion of the general working of the Passengers Act?—I believe that the Passengers Act works as well as it is possible for any such Act of the British Parliament to work; of course it has no application to foreign vessels after they get out to sea.

3. No Imperial Act could affect foreign vessels after they leave the ports of this country?—No; as soon as a foreign vessel is three leagues from the shore of this country it is foreign territory. It is only amenable to the laws of the country whose flag it bears.

4. But, as far as your information goes, the results to emigration are favourable, are they not?—The results of the Passengers Act on those ships in which it is enforced, or can be enforced, is very good; that is, in ships going to British colonies.

5. *Chairman.*] You can speak as to vessels going to British North America, but not as to vessels going to the ports of the United States?—Vessels going to the ports of the United States, or any foreign ports, clearing out from the ports of this country, are liable to all the provisions of the Passengers Act that can be carried out before the vessel sails. Foreign vessels are not subject to the provisions of the Passengers Act as soon as they are three leagues from the shores of this country. British vessels are subject during the whole of their voyage, and effectually so, if they go to British ports, and inquiry can be instituted as to how the law has been observed on the voyage. I believe the inquiry to be conducted with a good deal of strictness, and with very good results. We find that the emigration to the British colonies is very satisfactory. A British vessel going to foreign ports is equally liable to the Passengers Act on the voyage, but there is no means at its destination of inquiring whether those provisions have been properly observed and enforced, and, accordingly, there is no means of punishing any infraction or neglect of them.

6. Mr. *Peel.*] You have the same difficulty in punishing infractions of the law, in British vessels going to foreign ports, as in foreign vessels?—Not the same difficulty, because if you can produce evidence of the infraction of the law, you can punish it in a British ship; whereas if you had evidence of an infraction of the law on board of a foreign ship, you could not punish it except by means of the bond. You could not punish it as an offence against the law, but as a breach of contract.

*T. W. C. Murdoch, Esq.*

16 March 1854.

7. Mr. *C. Fortescue.*] Had you not better state how the inquiry is conducted as to any infraction of the law on arrival of British ships?—As soon as a vessel arrives at a British port, at which there is an emigration agent (and there are emigration agents at all the British ports), the agent goes on board and inquires whether any of the passengers have complaints to make; if they have complaints to make, he prosecutes the master before the magistrates, and the penalty awarded by the Passengers Act is inflicted.

8. Mr. *Peel.*] Can you give any statistics with respect to the emigration to the United States, showing the number of passengers, and the mortality, so far as you are aware, in that number?—There is a table published annually of the emigration, which table goes down to the year 1853.

9. Do you consider it of great importance that you should have full returns of the emigration?—I do consider so, but there is no possibility of obtaining them. The only statistics we have of the emigration to foreign ports is the return of those which sail from this country. We know nothing of them after they sail from this country.

10. When you speak of emigration to foreign ports, you mean almost entirely ports of the United States?—A very large proportion of it. For instance, in 1850, 280,849 people emigrated, and of that number 223,078 went to the United States: in 1851, 335,956 emigrated, and of those 256,357 went to the United States: in 1852, 368,764 emigrated, of those 244,261 went to the United States: in 1853, 328,518 emigrated, and of those 229,920 went to the United States.

11. Now, the master of every passenger vessel receives a list, does he not, of the number of emigrants he takes on board?—He makes out a list, which he delivers to the emigration officer.

12. And takes a list with him?—Yes, a duplicate copy.

13. That shows the numbers which leave this country?—Yes.

14. When he reaches the port of arrival, is there any provision in the law with regard to what he is to do with the list which he has received in this country?—He is bound to deliver it at the foreign port to the consul; at a British port, to the emigration agent.

15. Is that provision of the law attended to by the consuls of the different ports?—I believe it is.

16. Those lists would be of no use unless the consul could compare them with the number of persons who actually leave the vessel?—They are of no use whatever, as far as statistics are concerned, or as far as regards the deaths on the voyage.

17. You know the number which leave this country, but unless you have means of ascertaining the number which disembark in a foreign country, you have no means of obtaining any comparative results?—No.

18. No means of ascertaining the average mortality on board those vessels?—No; it is quite obvious that the lists are of no use at all; the consul does not send them home; it is not necessary that he should, because they are mere duplicates of lists which we already have.

19. Would not one great object be to induce the Government of the United States to make some arrangement for allowing your agents to go on board to ascertain the number of persons which leave the vessel, without reference to any enforcement of the Passengers Act, merely with a view to statistical information?—It would be of very great importance, indeed; but I think it should be an officer of the United States, rather than an officer of the British Government. An officer of the United States would have more power than an officer of the British Government in preventing anybody leaving the vessel until they were all mustered.

20. *Chairman.*] Do you not think it would be also beneficial to have the attendance of the consul of the British Government upon any investigation carried on by members of the American Government; and would there not be means, by some bond or other, to be executed before a British ship left British waters, to insist on the master not discharging his passengers until the consul visited him?—If the United States Government will pass a law to prevent the people leaving the ship until they are mustered, and also will pass a good Passengers Act, and see that it is enforced, I do not think there is any necessity for the attendance of an English agent, either consul or any one else; and I think the attendance of an English agent might produce some jealousy. With regard to

the

the bond, a bond is now taken from every master, whether British or foreign, that he will observe the provisions of the Passengers Act.

21. Mr. *Peel.*] Your answer has reference to the means that might be adopted for enforcing the law?—I understood the Chairman to ask that question. The statistics could only be ascertained by means of the co-operation of the United States Government.

22. The British consul could not go on board the vessel?—No, the vessels do not generally go up to New York. Emigrant vessels anchor at Staten Island which is 15 miles from New York, and the emigrants are carried up on steamboats which come alongside for the purpose. The consul has no power to detain anybody on board the ships, nor has he any power to go on board foreign ships.

23. Would there be any jealousy on the part of the United States to allow the consul to go on board?—It would require more than a permission from the United States; it would require a law to compel the master to permit him to come on board.

24. *Chairman.*] With regard to vessels going to British North American ports, what is the difficulty about the statistics there?—There is no difficulty; we have them.

25. Mr. *Fagan.*] Do you get a report from every vessel?—Yes, every vessel.

26. *Chairman.*] Then the thing could be done by arrangement with the United States?—Yes, if they will pass a law for the purpose; nothing short of a law will prevent the emigrants landing until they have been mustered, and compel masters of vessels to account for those that are missing.

27. Mr. *Hamilton.*] Previously to the vessels sailing, might not an obligation be imposed on the master to account for his passengers?—It might be, but you would have no means in the United States of ascertaining whether he did account for them truly. As soon as a vessel anchors at Staten Island the steamboats come alongside, and the master may deliver the list; but even if he had one hundred deaths and only accounted for ten, you would have no means of testing the accuracy of his list.

28. Mr. *Meagher.*] Could it not be made part of the obligation now entered into, that he should have a certificate from the British consul at Staten Island that he had complied with the regulations?—I do not understand how the British consul could be in a situation to give such a certificate, or refuse it.

29. On the demand of the captain himself, in order to exonerate him in this country?—I understand you allude to statistics at present.

30. No, generally of the law?—The British consul would have no power either to summon witnesses or examine them upon oath.

31. The object of the question is, to throw the onus on the captain to procure a certificate from the consul that he had complied with the regulations; if he could not comply with the regulations, he would take care to put the consul in a position to ascertain the facts?—The captain would have no more power than the consul to compel the attendance of witnesses, or to have them examined on oath; and assuming that complaints were made against the captain, he would be able to urge plausibly, and perhaps very truly, that the witnesses who would depose on his side could not be brought forward, or would not come forward. It is quite clear that those who had to complain would have a motive for remaining; those who had no complaints to make would have no motive for remaining; and the result would be, that the consul would never be in a position to discharge so very important a duty as that would be, because that would be a judicial duty of a high description.

32. Mr. *Peel.*] It would be necessary to give the consul, by an Act, power to take evidence?—I do not think you could give him power to take evidence in a foreign country.

33. Mr. *Meagher.*] With regard to the number of deaths on board, is not that a matter of which official knowledge is taken at Staten Island; when a vessel arrives, is there not an official return made of the number of deaths?—I have not seen such a return.

34. Are you aware that that is the quarantine station of New York?—Yes.

35. And that a vessel arriving with a number of emigrants, and reporting, as they must do, the number of deaths that have occurred, it becomes an official fact at once?—I can only say that we have communicated repeatedly with the consul at New York, and have been unable to get such statistics; they are not published in the city of New York, and are not contained in any of the Reports

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of the Commissioners of Emigration at New York. When a vessel arrives at Staten Island, the agents of the Commissioners of Emigration go on board, and remove from it all the sick; but I am not aware that they take any evidence as to the deaths on the voyage.

36. Mr. *C. Fortescue.*] That is, the American agents?—Yes.

37. Could not the captain be bound, and unable not to land his passengers, until he had the consul's certificate that they had been mustered by the consul, and their number compared with the master's list?—He could only be bound by an American law.

38. Mr. *Meagher.*] Could he not be bound by bond in this country; he gives a bond in this country, does he not?—He gives a bond in this country.

39. Mr. *C. Fortescue.*] That would require no examination of witnesses?—No; but I think you would require the consent of the New York authorities, at any rate, before you could detain vessels with emigrants on board in their waters.

40. Mr. *Peel.*] Would it not be wholly inconsistent with the principles of British jurisprudence, that the certificate of an officer in a foreign country should be sufficient evidence to recover on a bond in our country?—Nothing short of an Act of Parliament would enable us to do it.

41. Would not that be a wholly new principle of proceeding?—I have never heard of recovering on a bond in that way.

42. Was the bond required from owners and masters of foreign vessels by the Act of 1852, for the first time?—No; it has been required for many years.

43. Mr. *Fagan.*] What is the condition of the bond?—The condition is, that the requirements of the Act shall be observed as far as they can be.

44. *Chairman.*] With reference to what you have stated, it appears that these statistics would not be obtainable without a negotiation with the American Government; do you not consider it very desirable that the Government should take steps to that effect?—I consider it very desirable indeed, and have always thought so. When I was before the Committee which sat in 1851, I took the liberty of urging that very strongly; and while the Passenger Act of 1852 was under discussion, Sir John Pakington, who was at that time Secretary of State for the Colonies, had several interviews with Mr. Abbott Lawrence, at which I was present, in which he urged strongly that the United States Government should be moved to pass a Passenger Act similar to our own, and Mr. Lawrence at that time promised to write to his Government on the subject. I have never heard anything more of it.

45. You having been very strongly of opinion at the time of the last Committee of this House, that there should be a negotiation with the American Government for the purpose of obtaining statistics to be depended on, anything that has occurred since has only tended to strengthen that opinion?—Certainly; I have the strongest opinion that the only way to get the Passengers Act properly carried out, or proper protection for emigrants on their voyage, is by negotiation with the United States.

46. Mr. *Peel.*] Do you think there are no means of enforcing the observance of the law by foreign ships, by any legislation in this country?—I think that it is quite impossible.

47. Have you considered the various means that have been suggested, for instance, by inserting a condition in the bond that the master shall obtain a certificate that he has observed the requisites of the Act?—I have; of course there could be no difficulty in inserting such a condition, but I believe the consul never can be in a position fairly either to give or refuse such a certificate.

48. Do you think it possible to pass an Act giving him power in the same way that consuls exercise jurisdiction abroad, to take evidence as to the treatment of the passengers?—No, I do not think such an Act as that would have any effect in the United States. There are cases in the Chinese ports, and the ports of the Levant, but those are Acts passed in conformity with the provisions of special treaties.

49. Would not one way of enforcing the observance of our law be, to impound the passage-money paid to the charterer or owner of the vessel, and not to pay it over until you had ascertained that the passage had been a proper one?—I do not see how such a scheme as that could be worked out; the engaging of

of passages is a private contract between individuals and the shipowner; the Government could never come in contact with the emigrants, until they arrive at the place where they are to embark.

50. There would be no analogy between such a case and the case of the Government Australian emigration?—Not the least in the world; the Government Australian emigration is conducted by contracts between the Emigration Commissioners and the shipowners.

51. At the same time, in the case of that emigration, your main check on misconduct is the holding back of the passage-money, to be paid to the charterer or owner after the conclusion of the voyage?—Yes, one moiety of the passage-money is retained and forfeited unless the conditions of the charter-party are carried out.

52. But in the case of ordinary emigration to the United States, it would be impossible to collect the passage-money paid by the different emigrants, and to withhold it until they were safely landed?—I believe quite impossible; the contracts are made in every part of the United Kingdom between agents of the shipowners and the emigrants. The Government never comes in contact with the emigrants until they arrive at the port of departure, and it would be then quite impossible to take from the shipowner half of the money he had received from them for their passage; nor would it be possible to make an arrangement by which they should not pay, in the first instance, anybody but the Government agent.

53. Why would it be impossible?—I believe it would be as impossible to do it as it would be to interfere in any of the ordinary transactions of commerce between the buyer and seller.

54. Mr. *Meagher.*] Would it not be quite possible, when giving the list of persons to an emigration agent, to make a deposit of 1 *l.* for every person?—You might require them to make a deposit, no doubt; but the result would be, that the emigrant would be charged that 1 *l.* more for his passage.

55. That does not affect the question?—It affects the question so far as that it would increase the price of the passage to the emigrant.

56. The question had reference to the point of what security could be taken from the captain for the fulfilment of his contract and the regulations of the Passengers Act, but whether that would be a better security than the one of the bond?—It seems to me that it would stand on entirely the same footing as the bond, because whether you take a bond for 1,000*l.*, or a deposit of 1,000*l.* to be forfeited in case of non-fulfilment of certain conditions, it comes to exactly the same thing.

57. Mr. *Fagan.*] What power have you over the foreign vessels by this bond; how can you enforce the conditions of the bond in the case of foreign vessels?—We cannot enforce any of the conditions of the bond in regard to the provisions of the law, that apply to a vessel on the high seas; but we can enforce all those provisions which apply to the vessel before she leaves; and if we could get evidence from the United States of the neglect of the Passengers Act on the voyage, we could then enforce that bond; but the difficulty is the want of evidence.

58. Do you mean on the agents, or on the owners?—The bond is a bond with sureties given by the master, owner, or charterer; it is a joint and several bond. We can enforce that bond if we can get evidence of the infraction of the conditions of it.

59. You say you keep one half of the freight or passage-money of passengers going to Australia by the Commissioners?—Yes.

60. What is the effect of that; do you find that that raises the price of the passage-money?—It is very difficult to say what is the effect; there is nothing analogous to which it can be compared. There are certain advantages in a Government contract which tend to reduce the passage-money; there are certain disadvantages which tend to raise it; but what the exact effect of each is, it would be quite impossible, I think, to ascertain.

61. Do you not think, if it could be obtained, that it would be a valuable improvement, if a portion of the passage-money, one half or one quarter, with reference to foreign vessels as well as British vessels going to the United States, was withheld until the voyage was completed, and a report from some party was obtained?—As I said before, I think it exceedingly difficult, if not impossible, to retain one half of the passage-money. If it were retained, I do not see how you are to get evidence from the United States, or from the foreign

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country, which would enable you to decide whether the Act had been carried out or not.

62. But supposing those matters could be accomplished, do you think that it would be an improvement to retain a portion of the passage-money?—I do not see how it could be done.

63. Mr. *Peel.*] Could you not have some single office, where all the passages should be taken?—There sailed from Liverpool in the course of last year upwards of 200,000 emigrants; of those there sailed about 175,000 for the United States.

64. Mr. *Fagan.*] Can you state the proportion of foreign to British vessels?—The British vessels that carried emigrants to the United States last year were 43, carrying 16,650 emigrants; the foreign vessels were 362, and carried 158,126; of those all but two were Americans.

65. Mr. *C. Fortescue.*] You think that the plan of deposit could not be carried out without a treaty with the United States, and the power of taking evidence on that side of the water?—No.

66. And if any arrangement were to be made, the thing would be better done by other means than by a deposit?—A deposit and a bond would be the same thing, and in the same position.

67. And could not be enforced without some legal power on that side of the water?—No.

68. Mr. *Peel.*] Have you in many instances put in suit these bonds which are given on going out?—In the course of last year we put bonds in suit five or six times.

69. Against the masters of foreign vessels?—Against the masters or owners; against one of the obligors, whoever it was; but we put those bonds in suit generally for things which could be proved in this country, not by the emigrants, but by the emigration officers. For instance, we put the bonds in suit for vessels going to sea without the emigration officer's clearance. It happened at the end of 1851 that three or four American ships cleared out, and went to sea without the emigration officer's clearance. They found it inconvenient to do all that the emigration officer required in matters of ventilation and things of that kind; and accordingly they went to sea, supposing at the time they were only liable to a penalty of 50*l.*, which is the penalty of not getting the clearance by the Act; but we immediately put the bond in suit, which is for 1,000*l.*; and we were able to inflict a very heavy penalty, which stopped it. By the Act of 1852 a vessel going to sea without the emigration officer's clearance is liable to be seized, and we have had to seize some vessels.

70. Mr. *Liddell.*] How much have you recovered by way of penalty?—We recovered the whole bond, and then inflicted the maximum penalty for each offence.

71. Mr. *C. Fortescue.*] Those were foreign ships that had returned to this country?—In some instances; in other instances we put the bond in suit against the other obligor.

72. Mr. *Peel.*] As regards the evidence, there would be the same difficulty in enforcing the bond against British as against foreign ships going to a foreign port?—Exactly the same.

73. *Chairman.*] Did you put the bond in suit with reference to a vessel that had actually made the passage to British North America?—No, we never had to put a bond in suit against a vessel going to our own colonies.

74. State the results of your system with regard to a vessel going to the British North American colonies; whether you can procure the statistics we seek?—We have got the exact statistics of the emigration to the British colonies.

75. And you have had no occasion to put a bond in suit with reference to those?—No; because immediately a vessel arrives at Quebec or St. John's, New Brunswick, which are the only ports to which there is British emigration in British North America, the emigration officer goes on board, and inquires if there is any complaint. If there is any complaint, he prosecutes it in the law courts, the Passengers Act being in force in those colonies in the same way as in this country.

76. Do you get any report of the proceedings there taken?—We get reports of every ship, and what is done in it.

77. Mr. *Fagan.*] He prosecutes for a specified penalty under the Act?—He prosecutes for the penalties under the Act.

78. Those

78. Those penalties are limited in amount?—Yes.

79. Mr. *Peel.*] Can he recover penalties for offences committed on board foreign ships on the high seas?—No; there are very few foreign vessels which carry passengers from British ports to British ports; I am scarcely aware of any carrying emigrants from British ports to British North America.

80. Is the knowledge of this inquiry being instituted, on the arrival of a ship in port, sufficient to protect the emigrants, and prevent the law being broken?—Yes.

81. Mr. *Hamilton.*] Now, with regard to the statistics, is there a condition in the bond as to vessels going to our colonies, that the master shall make a return of the number of passengers landed, or the deaths during the voyage?—There is no condition in the bond to that effect.

82. Do you, in point of fact, obtain statistics of that character from the masters of vessels going to our colonies?—We obtain exact statistics from the emigration agent.

83. How does he obtain them?—He requires the master to give him that return.

84. How does he enforce that; is it one of the orders of the Emigration Commissioners, or is it under the Act itself?—I believe it is under the Provisional Emigration Act. The Provisional Emigration Act requires the master to make such a return.

85. Of the number of passengers landed, and of the deaths?—Yes.

86. Are those returns regularly made by vessels going to the colonies?—They are.

87. You have no reason to complain of the requirements of the Act in that respect not being complied with?—Not in the least.

88. Mr. *Peel.*] Does not the example of British North America show that the best protection to the emigrant to the United States will be to have a law passed by Congress corresponding to our own, with proper officers to enforce it, as in the case of Canada and New Brunswick?—I have no doubt that it is not only the best, but the only protection.

89. Have you reason to suppose that Congress is likely to pass any measures or to take any steps for that purpose?—I have no means of expressing an opinion upon that point.

90. Have you seen these resolutions of the Legislature of New York?—(*handing a paper.*)—I have seen those.

91. Read those resolutions, and state how far they would meet the case?—"Resolutions of the Legislature of New York in favour of the enactment, by Congress, of such Laws as may be necessary to secure the Health of Passengers in Emigrant Vessels.—February 2, 1854. Ordered to lie on the table, and be printed.—State of New York, in Assembly, January 6, 1854.—Joint Resolution, calling the attention of Congress to the sufferings of passengers transported in emigrant vessels: Whereas, during the last twelve months, great and increasing mortality has occurred on board of vessels engaged in the business of carrying emigrants to various ports of the United States, and undoubted evidence exists that such suffering and death results from insufficient ventilation; and whereas the existing laws are inadequate to secure the emigrants from these calamities: Therefore resolved (if the Senate concur), That we respectfully ask the Congress of the United States to investigate this important subject, and enact such laws as may be necessary to secure the health of passengers in emigrant vessels. Resolved, That a copy of the foregoing preamble and resolution, duly authenticated, be forwarded to our senators and representatives in Congress.—A true copy from the minutes: *D. U. Sherman*, clerk.—In Senate, January 28, 1854: Resolved, That the Senate do concur in the passage of the foregoing resolution.—A true copy from the minutes. *H. J. Hastings*, clerk."

92. That appears to be a joint resolution of the two Houses of the Legislature in the state of New York, addressed to Congress, requesting them to legislate in conjunction with us, for the protection of emigrants arriving in that country?—Yes.

93. And that would be by far the best mode of proceeding for the safety of emigrants from this country to the United States?—I have no doubt that it is so; and, as I said before, the only one.

94. *Chairman.*] You mentioned just now that you had statistics with reference to the passengers to British North America?—Yes.

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95. Will you describe the nature of those statistics, and their extent?—The returns that come home are very full indeed, and they give a description of all passenger ships, and of all the deaths that take place on the voyage. I have not got the statistics with me, but the Committee can have them. I have got here a return of the number of emigrants, with the per-centage of deaths, for Canada, and it will be seen that the per-centage of deaths is exceedingly small.

96. The object of the question is to see the efficiency, or otherwise, of the system that now exists in the British North American Colonies, in checking the disasters which have occurred in these Transatlantic passages. In what cases, so far as can be ascertained, the Passengers Act is found to be deviated from, and where the existing regulations have been found defective. Have you any of the statistics of the cases which have been brought before the courts there, which will enable us to know what the nature of those cases was, and why the parties were prosecuted?—There is a return made by the emigration agent at Quebec annually of the prosecutions which he institutes; and that return is in the report of the emigration agent, annually presented to Parliament and printed. The number of prosecutions is small; but, of course, I could furnish the Committee with an exact return of them.

97. Is it a mere summary, or does it go into details?—He states in what cases he had prosecuted masters of vessels, and for what offences, and what had been the result; and he also states in what cases he had found there had been some deficiency of advantages promised to the emigrants, and where he had obtained for them compensation; for in many cases, instead of inflicting penalties, he agrees to get compensation for the injury, which, of course, the emigrants prefer.

98. Mr. *C. Fortescue.*] Does he report the number of deaths that have taken place in each ship, and does he give any opinion as to the cause of those deaths?—If there is anything unusual he gives an opinion; but if you will allow me to state what the per-centage of deaths has been, you will see that it is so very small in Canadian emigration as generally not to call for any remark. In 1848, 27,939 emigrants went to Canada, and the deaths were one per cent.; in 1849, 39,516 emigrants went, and the deaths were 2·73 per cent. That very great increase arose from the mortality on board a particular ship from Greenock, and the prevalence of cholera. It was the cholera year in this country. In 1850, 32,352 emigrants went to Canada, and the deaths were 0·67. In 1851, 41,076 emigrants went to Canada, and the deaths were 0·64. In 1852 there were 39,176 emigrants, and the deaths were 0·46. In 1853 there were 36,300 emigrants, and the deaths were 0·50, just one-half per cent. To New Brunswick the mortality has been even lower.

99. Mr. *Hamilton.*] What do you estimate the average length of passage?—The average length of passage to Quebec is from 40 to 45 days; it varies in different years.

100. Mr. *Peel.*] That return shows the mortality only on the number of emigrants who arrive in the British American colonies, not the mortality in the number who leave this country; would the "Annie Jane" be included in that return or not?—No; this is the return of the mortality from sickness or disease.

101. In the event of a vessel leaving this country for Canada, and sickness breaking out on board of it, and the vessel preferring to put back to an English port, rather than to go on to Canada; in that case would the mortality on board that vessel be included in those returns?—Not if she put back to this country, and took another clearance, and made a second voyage.

102. Therefore these returns have reference to the mortality on board vessels which leave this country, and succeed in disembarking their passengers in the colonies?—They have.

103. Mr. *Fagan.*] You can give no information as to the per-centage of deaths or mortality of emigrants going to the United States?—No, I have no power to do that. I have got a return of those vessels which appeared in the public papers, and the mortality is very large, but it is a very small number of the ships that went; it is a return relating to 19 vessels.

104. Are those Train & Co.'s vessels?—No; I have got a return of Train & Co.'s vessels, which run to Boston only; the great mortality took place entirely in vessels going to New York.

105. Can you give the Committee any information as to the cause of that?—It is a very difficult thing to give the cause of that mortality, for all the principal causes of mortality seem to apply equally to ships in which there was this large mortality, and in which there was very little mortality: for instance, the most

most obvious, at least the most plausible, reason is, to suppose that the ships were very crowded, and that there was not sufficient space; yet these ships going to New York, in which the great mortality took place, had the same space as Train & Co.'s vessels going to Boston, in which there was almost no mortality at all—they had as much space as vessels going to Australia, in which there was very little mortality, and a much longer voyage, and through the tropics; and they had a larger space than vessels going to Canada, in which there is very little mortality.

106. Were they single-decked vessels?—Some of them were single-decked, and some double-decked; that was also the case with Train & Co.'s vessels; some of them carried very large numbers, but it is not in those that the greatest mortality took place. For instance, the greatest proportionate mortality was in a vessel called the "Winchester;" she carried 490 emigrants, and had 79 deaths on board.

107. Mr. *C. Fortescue.*] When was that?—She sailed on the 18th of August last.

108. Mr. *Meagher.*] What size was that vessel?—I cannot tell her tonnage; she must have been upwards of 900 tons, or nearly 1,000 tons, from the number she carried.

109. Mr. *Peel.*] Was not this at the time the emigration to Canada was so remarkably healthy?—Yes, and also that to other American ports; for instance, the very next day, the 19th of August, the "Star of Empire," belonging to Messrs. Train, sailed with 874 emigrants, and there were only two deaths on the voyage. The "North America" on the same day also sailed with 532, and had no deaths at all. On the 22d of August the "Staffordshire" sailed with 597 emigrants, and had no deaths at all.

110. Mr. *Fagan.*] Sailed for Boston?—Yes.

111. The great mortality was in vessels going to New York?—Yes, exclusively.

112. Were they Irish or German emigrants?—On board the "Winchester" there were 403 Irish and 69 foreigners; there were 14 English, and four whose nations are not stated.

113. Mr. *C. Fortescue.*] Was not cholera the cause of a great number of the deaths?—Yes, and on looking at these returns, at first I was inclined to believe that the real cause of the deaths was the presence of the Germans on board. There was a great deal of cholera in Germany last year, and the Germans are very poor, and very dirty, and in coming over many of them suffered a good deal from sea-sickness on the voyage. In all the ships in which there was great mortality, except two, I find there were Germans on board. In Train & Co.'s ships for Boston, in which there was no mortality, there were as many Irish as there were in these New York ships, therefore it is not the Irish who were the cause of it. But I find here that out of these 19 ships there were two in which there was a considerable mortality, viz., the "Calhoun," which carried 900 passengers, and had 49 deaths, equal to 5·44 per cent.; and the "Constellation," which carried 922 passengers, and had 100 deaths, equal to 10·84, which had no Germans on board.

114. Mr. *Peel.*] Do you attribute the great mortality on board these vessels to cholera?—Yes.

115. Did you notice, when you read its resolutions, that the Legislature of New York states there is undoubted evidence that these sufferings and deaths have resulted from insufficient ventilation?—I believe they are in error, because these ships are not casual ships; they are ships that have been carrying passengers for years, and that make generally two voyages a year, or more properly, five voyages in two years, and they have scarcely had any mortality at all before.

116. Mr. *C. Fortescue.*] Have you the statistics for the mortality of previous years?—No, but the absence of complaint is a fair ground for inferring that there was no great mortality.

117. There was no great complaint until 1853?—In 1847 there was great complaint; that was the year of the famine and great disease; then there were very great complaints from the United States; and very naturally. Since that we have never had any great complaint from the United States; and although there are a number of people who are taken into the emigrant hospitals in New York as soon as they arrive, there never has been any mortality which made a scandal or outcry in the country like the mortality which occurred last autumn.

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118. Mr. *Peel.*] In the preamble to these resolutions of the Legislature of New York, no allusion is made to the cholera being the cause of mortality on board the vessels?—Cholera was the cause assigned in the newspapers, and I should suppose it was so.

119. Mr. *Liddell.*] Are you aware that the existence of cholera in Liverpool was universally attributed by the authorities there to those German emigrants, who come across to this country in a state of great poverty and destitution, as emigrants to the United States?—I am aware that it was so, and I believe very truly.

120. Mr. *C. Fortescue.*] Have you made any comparison between the ships in which the mortality took place, and in which it did not, and in other points besides ship-room, for instance, with respect to ventilation, food, and water?—I have a report from the emigration officer at Liverpool, that the ventilation is the same in all of them; in fact, the ventilation is fixed by a law of Congress, and is the same in all ships going to the United States.

121. What as to provisions and water?—Provisions and water are the same on board all ships going from this country, because that is regulated by the Passengers Act.

122. Mr. *Peel.*] Was the weather unusually rough last year?—The weather was unusually bad; but, of course, that applies equally to the Boston ships.

123. Mr. *Meagher.*] What month was that great mortality in?—The "Winchester" sailed on the 18th of August, which was the worst of all; the "Niagara" sailed on the 18th of August also.

124. Mr. *Fagan.*] Was she a British vessel?—No; I believe she was an American vessel.

125. Sir *T. Herbert.*] Your calculations as to these accidents are confined from the day of the vessel's sailing to the day of her arrival?—The mortality between those periods; but these statistics are only those which we have got out of the newspapers.

126. Mr. *Meagher.*] Have you no return of the number of sick landed from those vessels, on board of which this great mortality took place on the passage?—No.

127. You are aware, from the same source that gave you the number of deaths, that there was also a number of sick landed?—It was so stated in the newspapers, which are the only source of information. I have here some curious facts about this mortality, obtained from the agents of the American line in Liverpool.

128. *Chairman.*] Before you go into those, I am anxious to ask this question: Your opinion being that negotiations should be entered into with the American Government, to agree on some general plan of regulating the passenger trade between the two countries, and of ensuring accurate statistics, can you furnish us with sufficient details, including reports and returns made by the provincial governments, to enable the Committee to judge if the system acted upon for the purpose in question, in the case of emigrant vessels between those countries and the British North American colonies, can be recommended for adoption; have you got any such reports or returns of the manner in which they enforce the regulations in the British North American colonies, as will enable us to judge whether the control is efficient there?—I scarcely understand the question; the whole system there is for the emigration agent to go on board the vessel when it arrives, and to ask if there is any complaint; if there is, he prosecutes before the courts; so that all he has to do is to enforce the law.

129. You have said you have full reports and returns from British North America, with respect to the arrival of emigrant ships there?—Yes.

130. Mr. *Peel.*] Do not the returns which you have read show that the present system of emigration is a satisfactory one with regard to British North America?—I think they do.

131. *Chairman.*] Have you returns of the cases which were examined into, and which were brought before the local courts there, and punished or otherwise; if you have not those returns, can you furnish them to the Committee?—We have those returns in the annual report of the emigration agent, which is laid before Parliament, and of course there can be no difficulty in extracting that portion which relates to prosecutions.

132. Mr. *C. Fortescue.*] Before we ask the American Government to adopt our system, ought we not to be satisfied that our own is efficient; are you satisfied that it is efficient?—Yes.

133. Mr. *Meagher.*] Does the evidence which you have given with respect to the British colonial emigration, apply equally to the Australian emigration?—It does.

134. Both with respect to private ships as well as those under contract to Government?—Yes.

135. Mr. *Hamilton.*] Do you allude in that answer to the question of statistics alone, or to the general regulations?—The enforcement generally of the Passengers Act. There is an emigrant agent in each of the Australian colonies, who, when an emigrant vessel arrives, goes on board, and inquires whether the Passengers Act has been properly observed on the voyage; if not, he takes the necessary steps for prosecuting the master. I may mention one case in which they prosecuted the master for upwards of 350 offences.

136. In Australia?—Yes; and they fined him upwards of 1,800 *l.*, or one month's imprisonment for every 5 *l.* he did not pay, which amounted to 29 years and some months' imprisonment.

137. Did that include any breaches of regulations as affecting morality?—I believe it was for selling spirits on the voyage. I have no official knowledge of it, excepting from the public journals.

138. Would it not be desirable, including the British colonies, that there should be some official reports received with regard to those particular cases?—There would be no objection; that could be done by a mere instruction of the Secretary of State to the Governor.

139. At present from the Government vessels you get ample reports?—Yes, because until we get the report that the whole of the provisions of the charter-party have been complied with, we do not pay the second moiety of the passage-money.

140. Would it not be desirable that the same regulation should be made to apply to private ships going to Australia?—I do not think there is any ground for making such a regulation; the Passengers Act is not generally violated; if it is, the penalties can be enforced.

141. Although the penalties may be enforced, would it not be desirable to know in this country that they have been enforced, and in what particular cases?—Of course it would be a desirable thing, and I believe in all important cases a report is made to the Secretary of State; at any rate, it would only require an instruction from the Secretary of State to procure any information of that kind.

142. Mr. *Fagan.*] If the Passengers Act is violated during the voyage, how do you put the bond in process?—Before we can put the bond in suit we must know what evidence we have to proceed on.

143. Is it necessary to get the evidence from the other side, or the colonies?—We have never attempted to put a bond in suit except for some offence that could be proved upon evidence in this country.

144. Would it not be an improvement if you could put that bond in suit in the colonies?—The bond could always be put in suit in the colonies.

145. The bond executed in this country?—We do not send the bond to the colonies, because the penalties of the law are sufficient. We should put the bond in suit when we cannot enforce the penalties of the law. If we could procure evidence of the infraction of the law on board of American vessels on the voyage, we should put the bond in suit, because we could not put the law in operation; they are not liable or amenable to the law.

146. Then, with regard to American vessels, and vessels going to America, you have no power of putting the bond in suit unless you get evidence on the other side?—We cannot put it in suit unless we have got evidence to support a prosecution.

147. Sir *T. Herbert.*] The proceedings under the bond are of no value unless you get evidence?—It is not of any great value, but cases may arise in which we can get evidence.

148. That is, of what has occurred in a British port, or at sea?—There are instances in which the emigrants have returned to this country from the United States within the time necessary to make the complaints, and then we might put the bond in suit; and it might happen that a case would be so important that it might be worth while to send over to America, and get that evidence in order to put the bond in suit.

149. Mr. *Fagan.*] Would it not be an additional protection to the emigrants if those bonds executed here could be put in suit in the colonies?—There would be no objection to taking a bond in duplicate, and sending it over to the colonies.

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150. Would it not be additional protection?—Yes, but generally the penalties of the law are sufficient. If there is any great number of infractions of the law the penalties would amount to more than the bond.

151. Mr. *Peel.*] The sureties are often in this country?—That is so; we could only proceed against the master abroad.

152. Mr. *Fagan.*] You could proceed against the ship?—No; I do not think the bond would be a lien on the ship; it is a personal bond of the master's.

153. Is not the bond now a lien upon the ship?—I do not think it would be a lien on the ship.

154. Mr. *Hamilton.*] The Passengers Act states the owner or charterer, or, in the absence of such owner or charterer, one good and sufficient person?—Yes.

155. That does not of necessity involve the master?—The master is one of the parties to the bond; the other obligor may be the owner or charterer, or, in their absence, a sufficient person; the object being to meet the case of American vessels, where the master may very often be the charterer, and the owner would be in the United States.

156. Mr. *Fagan.*] Could you not seize the vessel under that bond?—I do not think that you could; not when the bond is put in suit against the master, because the vessel is not the master's property.

157. But the owner or charterer is one of the obligors?—The suit is not against the owner or charterer, but against the master; the charterer has no property in the ship; the owner may not be one of the obligors.

158. Mr. *C. Fortescue.*] He may or may not?—Yes.

159. Can you give any opinion as to the relative treatment of emigrants in foreign vessels or British vessels?—We have heard a good deal of the treatment of emigrants in foreign vessels going to the United States, but I have no official or authentic information that I can give to the Committee. It generally appears in the newspapers, in the shape of letters from emigrants.

160. What is the opinion you have formed on the subject?—I have no doubt there is a great deal of neglect of them, and that sometimes they are very much ill-used.

161. On board foreign vessels?—On board of American vessels going to the United States. I have here a document with regard to the mortality on board some of the ships. The emigration officer at Liverpool observes that it does not appear to him that the mortality could have been occasioned by defective ventilation, as the same ships, having the same regulations, sailed on previous voyages without any loss. Take, for instance, the "William Tapscott;" on the previous voyage to the voyage in September, she lost no one.

162. Mr. *Meagher.*] But that was at a different season of the year?—Yes. The "Continent" sailed from Liverpool, and kept well till she was near half across the ocean, when in a few days she had 64 deaths, and went into port, after the sickness, in tolerably good health.

163. Mr. *Hamilton.*] Was that from cholera?—Yes. He says, another remarkable point is, that it seized on some of the passengers in the "William Tapscott" in the best ventilated parts of the ship, those living in the poop; but at this very time, when the great mortality was going on in the ships to New York, the ships to Boston were perfectly healthy.

164. Mr. *Meagher.*] What was the average passage of the ships at the time that mortality prevailed?—I have not got it.

165. Sir *T. Herbert.*] You mentioned in your evidence of 1851 that the emigrant ships did not generally carry surgeons; is there any alteration since that period?—By the Passengers Act of 1852, all vessels carrying above 500 emigrants are obliged to have a surgeon. The consequence is, that there are more surgeons now carried than there were; but of all the American ships sailing from Liverpool last year (amounting to 362) 116 only carried surgeons.

166. Do you happen to know whether those vessels, in which there was this great mortality, carried surgeons?—Some of them did, and some did not. The "Winchester," which had the largest mortality, had a surgeon.

167. Mr. *M. Milnes.*] Had this vessel, in which you mentioned that the cholera broke out, a surgeon?—She had a surgeon. Another point which would be a plausible explanation of the great mortality, is the greater number on board ship. It would be naturally inferred that the mortality was greatest where there were most people; but even that does not seem to be the case, for the

the largest mortality of all, which was upwards of 16 per cent., was on board a ship carrying only 490.

168. Mr. *Meagher.*] What was the description of accommodation on board that vessel with regard to deck?—She was only a single-decked vessel.

169. Was there any erection on the main deck?—I am not able to say; she could only have been a single-decked ship.

170. Are you aware that some of them carry an accommodation-deck above that?—She could not have nad an accommodation-deck above, but she might have had houses on deck, which are very objectionable things. Then the next largest mortality was on board a ship carrying 526, the "Antarctic"; ships that carry passengers on two decks do not carry less than from 600 to 800. I think you may take it for granted that those ships which have less than 600 are single-decked ships. The "Antarctic" had 526 passengers and 75 deaths, which is equal to 14 $\frac{1}{4}$ per cent.

171. Sir *T. Herbert.*] Do you find that single-decked ships, or vessels with two decks, are the healthiest?—I should have no hesitation in saying that the single-decked are the healthiest. I have, also, no doubt that a double-decked ship, flush fore and aft, is as healthy as those single-decked ships that are lumbered up with houses. The great objection to the double-decked ships is, that they carry such a number of people that there is no possibility of their taking exercise on the upper deck.

172. *Chairman.*] Do you think there is an objection in the way of proper ventilation of the lower deck?—No; the lower deck is generally the best ventilated of the two. It is the upper deck that suffers, from the bad air that arises from the lower deck. In the navy it is found that the orlop-deck is the best ventilated of the whole ship.

173. Mr. *Peel.*] All these vessels left this country last year?—Yes.

174. There were no preceding complaints with regard to emigration to the United States?—Not since 1847.

175. Mr. *Meagher.*] Were these generally American vessels?—Generally American vessels; I believe all of them.

176. Mr. *Peel.*] Are not the American vessels the finest class of emigrant vessels that leave this country?—They are magnificent vessels.

177. They are built purposely for the trade?—Purposely; and they are fitted purposely for it; they carry their bed-places as permanent structures.

178. *Chairman.*] Then, having passengers on the lower deck, is an additional inconvenience to passengers on the main deck?—Yes.

179. It is an injury to their health?—It is an injury and a great disadvantage, that the people never can come on the upper deck and get fresh air; therefore you never can get the between-decks thoroughly aired.

180. Mr. *Meagher.*] Have you any returns what the cargoes were on board those ships?—No, I have not; but a large proportion of the cargoes on board all sailing vessels from Liverpool is iron.

181. Mr. *Fagan.*] Is it possible for more passengers to be taken after the clearance than the law allows?—I will not say it is impossible, because when the vessels get out into the river, or get beyond the reach of the emigration officer, emigrants might be put on board. I do not think it could be done on board of American ships, because the American law is very strict.

182. You think, in point of fact, it is not often done?—I should think not.

183. Mr. *Peel.*] How long has the present Passengers Act been in force?—The present Act came into force on the 1st of October 1852.

184. Was it amended in consequence of the Report of the Committee that sat in 1851?—Yes.

185. And is this present Act a great improvement on the preceding one?—I think there are very considerable improvements in the present Act, as compared with the preceding Act.

186. It has been in operation now about 18 months?—It has.

187. Some imperfections have come to light?—Yes, undoubtedly there are things that might be improved.

188. With regard to the stowage of cargo; the case of the "Annie Jane" was a vessel which was supposed to have been lost in consequence of her having a cargo of iron on board?—Scarcely that. The "Annie Jane" met with exceedingly bad weather, and some of the crew were inefficient. She had

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Canadian seamen on board to the number of 18, and when they got into very bad weather they got frightened. On being ordered to go aloft and furl the mainsail, they refused, and went below, and the mainsail was blown away, and I think the mainyard, which crippled the vessel very much, and she lost her masts.

189. Was the loss of the masts occasioned in any way by the nature of the cargo?—All the witnesses said that she was extremely laboursome.

190. Did that arise from the heavy cargo being placed low down in the vessel?—The first time she sailed she had a considerable cargo of iron on board, which was stowed too low, and in bad weather she carried away her three topmasts, and the head of her foremast. When she came back again, the emigration officer required them to shift the cargo, so as to make her easier; they accordingly lifted it, and she went to sea again; and again they say she was very uneasy, and carried away her spars, after being at sea some four or five days; then she made very bad weather, and in attempting to run, they were not able to weather Barra Head, and went ashore.

191. Your powers of objecting to the cargo have been very much increased in the different Acts that have passed from time to time?—Under the Act which was in force up to 1852, there was only the power of objecting to any cargo which, from its quality, was likely to endanger the health and lives of the passengers.

192. Under the old law, amended in the year 1852, it was only the quality of the cargo you could object to?—Only the quality.

193. Now, in the Act of 1852, you had certain powers given you with respect to the quantity?—Yes; the Act of 1852 says that no passenger ship shall clear out, having on board certain prohibited articles, or any other article which, by reason of its nature or quantity, shall be deemed by the emigration officer likely to endanger the health or lives of the passengers, or the safety of the ship.

194. That word "quantity" was for the first time introduced in the Act of 1852?—Yes.

195. With regard to the quality, animals, live stock, may not be taken on board?—No horses, live stock, or cattle.

196. Have any complaints been made with respect to that prohibition?—A complaint was made in the case of a ship going to New Zealand, which took a small number of passengers, of this prohibition of sending out horses, which were required in the colony; and it was suggested that, where vessels do not carry the full complement of passengers, even although they carry enough to bring them under the Passengers Act, there should be some relaxation of that provision with regard to animals.

197. Do you think it is a restriction necessary to be continued?—I think horses a very bad cargo for passenger ships.

198. With regard to the quantity, have you issued any order in consequence of that provision of the law, or was the law merely one carrying out the practice that had previously existed?—The state of the case is this: since the very large undertakings for railroads in the United States, and also since the steamboats have taken all the goods of greater value and less weight, scarcely any passenger ships sail from either Liverpool or Glasgow without a large quantity of iron on board. Up to recently there was no limit put upon the quantity; but the American insurers, thinking that it was not safe, limited the iron that a ship could carry under their policies to her registered tonnage; that is, American tonnage, which is considerably smaller than English tonnage. When Captain Patey went as emigration officer to Glasgow, he found that they had no regulation there that applied to all vessels, and he adopted the rule of not clearing ships with more than two-thirds of their registered tonnage in dead-weight. That rule was afterwards carried into effect at Liverpool, to which Captain Patey was transferred, and it is now in force there, and has been confirmed by the instructions from our Board.

199. Therefore no emigrant vessel may carry more dead-weight than two-thirds of her registered tonnage?—No.

200. Is the term "dead-weight" well defined?—I believe the term "dead-weight" is perfectly well understood in practice, but there is no definition of it; and I do not know that any other definition could be given, than to consider as dead-weight everything of which the specific gravity is greater than water.

201. You do not think that two-thirds of dead-weight is more than an emigrant vessel ought to carry as to quantity?—I believe an emigrant vessel may safely carry two-thirds of dead-weight, that is, taking the heaviest which is usually put on board, namely, iron, if it is properly stowed; but I believe the whole question of safety depends on the stowage of the cargo.

202. Does not the present Act give you power over the stowage of cargo, when that cargo is placed in particular parts of the vessel?—It does; when any cargo is stowed on the deck, above the beams, the emigration officer has a right to regulate the stowage.

203. Where the cargo is stowed in a part of the vessel in which there are no emigrants, then the captain of the vessel may use his discretion as to the manner in which he may stow away his cargo?—The only control that our officer has would be, by refusing to give his clearance if he believed the cargo to be improperly stowed.

204. He can refuse to give his clearance under the law, if he thinks the cargo is improperly stowed?—He would do it at his peril, and of course would be liable to an action for damages, and would have to pay damages if he improperly refused his certificate.

205. Is it a discretion so perilous in the exercise, that your agents are deterred from acting as they would wish to act?—Heretofore they have not interfered in the matter; but recently it seemed to us that it is impossible to carry out the intention of the Legislature, unless the mode of stowage was looked to, as well as the quantity. We have instructed our officers to see to it, and at Liverpool a special officer has been appointed as a sort of Government stevedore to examine the stowage of the ships.

206. Mr. *Meagher.*] Do you think, for the protection of the emigrant officer from any responsibility of prosecution, for interfering with the cargo, that any amendment is required in the law?—I think it is impossible by Act of Parliament to fix what dead-weight should be carried; but the improvement I should be disposed to recommend, would be, to give to the Queen in Council the power of issuing regulations.

207. Mr. *Peel.*] Would regulations issued by the Queen in Council relieve the officers acting under it from liability to these harassing actions?—Clearly, it would be *pro tanto* a law. I may mention, with reference to the liability to legal proceedings, that at the present moment the emigration officer at Liverpool has received notice of an action, in which the damages are laid at 3,000*l.*, for having compelled a shipowner to lighten his ship before he would pass her for passengers.

208. That was on the ground of his objecting to the quantity taken?—Yes.

209. But he has that power under the law?—But it must be exercised with proper discretion.

210. Mr. *Meagher.*] It does not shield him from a prosecution?—Because the law does not fix what quantity. If the Act, or any regulation tantamount to an Act, fixed the draft of water of the ship, or fixed the quantity of weight she should carry, that would save the emigration officer from any action; but as it gives him a discretion, he is liable to an action for the way in which he exercises that discretion.

211. Mr. *C. Fortescue.*] Have there been many such actions?—This is the first.

212. Is this of recent occurrence?—Yes.

213. In reference to what ship?—In reference to a ship called the "Miltiades."

214. Mr. *Peel.*] In the Act which was in force up to 1852, you had only power to object to the quality of the cargo taken?—No.

215. Under the existing law, you can object to the quantity taken?—Yes.

216. Do you recommend that that part of the law should be further amended by empowering the emigration officers to superintend also the stowage of cargo?—I do; I think if a new Act were to be introduced into Parliament, it would be desirable, after the words "which by reason of its nature or quantity," to add "or its mode of stowage."

217. With regard to the quantity of the cargo, you must leave a certain discretion; it would be impossible to define by law the proportion of dead-weight

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to be taken?—Quite impossible; it depends on the build of the vessel, and the material, the fastenings, and the scantling.

218. Sir *T. Herbert.*] And all dead-weight depends so much on its stowage?—Yes.

219. For the higher the dead-weight is weighed up, the easier the vessel?—Yes.

220. Mr. *Peel.*] Your objection would equally apply to a law limiting the depth at which a ship should float in the water?—Lloyd's have a rule which fixes the load-line with reference to the draught of water; I believe that is just as inapplicable to all ships as the rule which fixes the maximum of dead-weight.

221. Sir *T. Herbert.*] All that must be left to the inspector?—Yes.

222. By the Act of 1849, all vessels are obliged to take in provisions for 70 days; has not that been repealed?—No.

223. It is now for 40 days?—That is for steam-vessels.

224. That was done that the vessels might carry more cargo, and, consequently, that the passenger might get his passage at a cheaper rate?—The reason of the alteration of the law was, that up to 1851, when the Committee sat, no steam-vessels had ever carried emigrants. At that time, although no steam-vessel was then carrying emigrants, or I should rather call them steerage passengers, yet one had been already built, and another was in the course of being built, for that purpose; and if we had compelled steam-vessels to put on board the same quantity of provisions and water which was required for sailing vessels, it would not only have been unreasonable, but would have very much impeded the employment of steam-vessels in that service; and it is an evident advantage to a passenger to go by steam, if he can do so as cheaply as in a sailing vessel.

225. Then you see no inconvenience arising from that alteration?—The alteration only applied to steam-vessels; sailing vessels are equally obliged to put on board a quantity of provisions and water for 70 days, and indeed, during the winter, 80 days.

226. Mr. *Peel.*] Is that for the voyage to America?—Yes.

227. You stated before, that the average duration of the passage did not exceed 40 days?—No; but the provisions and water are regulated for the maximum.

228. It would not appear necessary to raise that maximum beyond the limit fixed by law?—It was raised to 80 days in the winter, at the special recommendation of the Liverpool Chamber of Commerce; it having happened, in the winter of 1851-2, that several vessels had been as much as 90 days on the voyage.

229. What are your powers with regard to the number of the crew, and the proportion of that number to the tonnage of the vessel under the existing law?—The only provision under the existing law is, that no passenger vessel shall be cleared out without a sufficient crew, leaving the emigration officer to say what a sufficient crew is.

230. With regard to that, would you suggest that power should be given to issue regulations by an Order in Council?—Yes; I think that is one of the points that I should certainly recommend to be included, if any powers were given to the Queen in Council to make regulations.

231. Under that provision of the law, your officers have generally followed the practice of each port?—We instruct them to follow the practice of the port.

232. Does that practice vary at different places?—It does very considerably.

233. What is the rule at Liverpool?—At Liverpool the rule has always been in emigrant vessels three men to 100 tons; in London it is generally three-and-a-half to four; in Glasgow it has been even below three.

234. Has there not been a recent report by the Government officer, in which it has been suggested that the proportion of the crew to the tonnage should be raised above three men to every 100 tons?—Yes, Captain Becchey, in reporting on the loss of the "Annie Jane," and Captain Walker, in reporting on the loss of the "Tayleur," recommend that the crew should be raised to four men for every 100 tons.

235. *Chairman.*] That is the rule for Australian crews?—Yes.

236. Sir *T. Herbert.*] Who judges of the efficiency of the crew?—The emigration officer.

237. Is he generally a naval man?—Yes.

238. In what way does the emigration officer judge as to whether they are sailors, or whether they are landsmen, and in what proportion the landsmen are to the seamen?—He musters them, and judges as well as he can.

239. Mr. *Hamilton.*] Is there any examination; does he question the men as to their nautical experience?—Not generally; he has probably, in Liverpool, to pass eight or ten ships in the course of the day, and it is impossible to examine all the men; in one or two ships he makes the men go aloft if he has any doubt.

240. Has there at any time been any report made by your emigration officer, stating that, although the numbers may have accorded with the usage of the port, yet the appearance of the men led him to suppose they were not in point of fact efficient, either from a certain number being too young, or a certain number being too old?—No such report has been made, and if it had been made we should have considered that the officer was pronouncing a censure upon himself, because he would be bound to object to such a crew.

241. Has it occurred that the officer has objected to crews upon such grounds as those which have been mentioned?—I have no recollection of any report from him of his having done so. I may mention with regard to American ships, which constitute the great bulk of the ships out of Liverpool, that they bring their crews here and take them out again; they ship their crews in America.

242. *Chairman.*] If it be your practice, with respect to your own ships, for the officer to make the men go aloft, is there any reason why he should not be called upon to do the same with the vessels which do not belong to you?—It is only in extreme cases where he thinks that a man who is a landsman is passing himself as a seaman, that he would make him go aloft to try him.

243. Are you not aware that there was a considerable difference of opinion between the emigration agent at Liverpool and Captain Walker, upon the efficiency of the crew of the "Tayleur"?—No, I am not aware of it; the emigration officer cleared them and passed them, and they all produced the necessary papers to show that they were men accustomed to the sea.

244. Mr. *Hamilton.*] Notwithstanding that, Captain Walker pronounced that in his opinion the "Tayleur" was not efficiently manned?—He did; and he recommended that the number of the crew in all emigrant ships should be increased from three to 100 tons to four.

245. So that, in point of fact, there was a difference of opinion between the emigration officer and Captain Walker on that subject?—I understood the question to refer to the efficiency of the individuals, and not to the number. It is right to observe, that the number of wrecks out of Liverpool is very small, compared with the immense number of ships which sail; and that therefore, as the passenger ships do not carry more than the proportion of crew which the "Tayleur" had on board, and as Captain Walker distinctly states that the loss of the "Tayleur" was not attributable to any deficiency of the crew, a single instance like that is scarcely sufficient to prove that the crews generally are not efficient.

246. *Chairman.*] He has power to make the men go aloft on board the private ships, if he chooses to exercise that power?—Yes.

247. He can do that on board American ships, as well as on board British ships, they being for the time under the operation of our laws?—Yes, he has power to do that.

248. Mr. *C. Fortescue.*] Do you think the examination of the crew, as it is conducted, is practically worth much?—Yes, I think it is; it is as good as any cursory examination can be. I do not think anything more than cursory examination is possible.

249. *Chairman.*] Did not Sir George Stephen, one of the witnesses before the former Committee, recommend an increase of the staff?—I am not aware that Sir George Stephen did, but the staff has been largely increased since 1851.

250. Mr. *Peel.*] Were there any complaints made of the insufficiency of the crew in the "Annie Jane"?—The statement of the mate was, that some 16 or 18 Canadians, when they were ordered to go aloft, refused to do so, and went below, and pretended not to understand; but of course no emigration officer can say, by looking at a crew, whether the men will get frightened in bad weather or not.

251. In the case of your vessels, do you make any inquiry with regard to the capacity of the master selected to take the command of those vessels?—We by

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our charter-party get a statement whether they have got certificates or not, and whether a certificate of competency or service.

252. Are American owners generally careful in the selection of their captains? —I believe the American captains are generally considered to be a superior class of men; they are generally part owners.

253. And command a superior class of vessels?—A very fine class of vessels.

254. *Chairman.*] What is the staff of the Emigration Office at Liverpool?—There is an emigration officer and six assistants.

255. Mr. *M. Milnes.*] Have you ever seen the emigration officer test the efficiency of a crew?—No.

256. Do you know by what process he does it?—He musters the crew, and looks at the men to see whether they are men who look like sailors, and in the case of men shipped at Liverpool he requires from them their notes, to show what ships they have been in before.

257. Do you suppose he puts them through any exercise?—Not generally.

258. Mr. *Peel.*] To do that, would it not be necessary to increase the staff? —Yes.

259. *Chairman.*] What are the assistants; are they all naval men?—They are all naval men except one, who has been appointed lately for the inspection of cargoes; with that exception they are all officers of the navy.

260. Mr. *C. Fortescue.*] Are they entirely employed in the inspection of ships? —Yes, entirely.

261. Mr. *Hamilton.*] Are there any means of ensuring that the number of men who are mustered and passed by the emigration officer shall go on the voyage; is it one of the obligations of the bond?—That clearly would come within the operation of the bond.

262. The bond, then, provides that the crew who shall have been mustered and passed, shall be the actual crew during the whole voyage?—Clearly; it would be fraud if it were otherwise.

263. *Chairman.*] Your regulation with regard to your own vessels for the Australian passage, is four men to every hundred tons?—Yes.

264. Had you ever a less number?—No.

265. You do not consider a less number would be safe or efficient?—I can hardly put it so strongly as that; we think that a strong crew is one of the elements of safety, and we require that number.

266. You see no reason why a vessel crossing the Atlantic should not be fully as well manned, in proportion, as a vessel for the passage of the Pacific?—No, there is no reason why they should not be as well manned, except that, unless it is absolutely necessary, it of course increases the expense.

267. Does it not equally increase the expense in the Australian ships?—Yes; but those ships are taken up by special contract, and the Government is content to pay an increased price for increased safety.

268. It is on account of safety that you insist on more men?—Yes.

269. Mr. *Meagher.*] What test do you apply as to the efficiency of the crew in Australian vessels?—We have no particular test; the emigration officer, who is a naval man, puts them to such test as he thinks necessary.

270. Mr. *C. Fortescue.*] The Act does not prescribe any number of men for the tonnage?—No.

271. Mr. *Peel.*] You propose to give the Queen in Council power to regulate from time to time the number of the crew in proportion to the tonnage?—Yes, I think it is one of the things that it would be desirable to put in an Order in Council, in order to save the possibility of an action against the emigration officer.

272. Would you give the Queen in Council power to diminish the number of emigrants who could legally be carried on board emigrant vessels in time of pestilence, or cholera breaking out?—Yes; it is very desirable that there should be a power to make regulations.

273. Exceptional regulations?—Exceptional regulations in exceptional cases.

274. What is the present law with regard to the space allowed to emigrants? —The present law is, that in passenger ships going to America, and not carrying a surgeon, 14 feet superficial space must be allowed for every passenger, two children under 14 being counted as one passenger.

275. A child

275. A child under 14 counts as one passenger in the American law?—Yes, but in ships carrying a surgeon, 12 superficial feet is all that is required.

276. *Chairman.*] In American ships, do they not insist on 14 feet to each passenger, whether the ship carries a surgeon or not?—They do, and each child counts as one passenger.

277. Mr. *Peel.*] What is the rule as to carrying a surgeon in the voyage to America?—All ships carrying more than 500 passengers are required to carry a surgeon.

278. Was that a provision for the first time introduced into the law in 1852?—Yes.

279. Were any doubts then entertained as to the means of finding surgeons?—It was supposed that it would be impossible to find surgeons for all the passenger ships of every size.

280. That is, if you were to require a surgeon on board every emigrant vessel?—Yes; it was considered that it would be scarcely possible to find surgeons for every number, and, therefore, the limit of 500 was fixed; it was a step in advance to putting surgeons in all ships.

281. We collect from your returns, that the number of ships for America, carrying 500 emigrants, is not very large?—I have not got with me any returns that would show that accurately.

282. The vast majority carry a less number of emigrants than 500?—Yes, they carry a less number than that generally.

283. Do you think there should be a reduction of the number which must be exceeded before a medical practitioner is required to be on board?—Yes, I think it desirable to bring it down to vessels carrying 300.

284. In the case of voyages to America?—Yes.

285. Must surgeons be on board passenger vessels crossing the tropics from this country?—Every vessel having 50 passengers on board, and crossing the tropics, must have a surgeon.

286. But in the case of voyages to America, there must be 500 in order to render it necessary that there should be a surgeon on board?—Five hundred passengers, or a less space than 14 feet.

287. *Chairman.*] You gave 15 feet for the tropics?—It is 15 clear feet for vessels passing through the tropics, but in those voyages two children under 14 years count as one passenger; consequently the American law, which gives 14 feet, and counts each child as a passenger, gives practically more space than we give even on our Australian voyages.

288. Mr. *Peel.*] You would recommend an alteration of the law to this extent, that surgeons should be required to be put on board passenger vessels having upwards of 300 emigrants on board?—Yes.

289. Mr. *C. Fortescue.*] Might it not be right, by Order in Council, at times to insist on surgeons being on board any ship in an unhealthy season, such as during the prevalence of the cholera, for instance?—I do not think you could get surgeons enough; for instance, there were about 2,300 vessels sailed with passengers from England last year.

290. Mr. *Peel.*] Whatever regulations are made, your opinion is, that the principal cause of mortality among poor emigrants is their personal uncleanliness?—Yes, it is the great dirt.

291. Mr. *Liddell.*] And there being too much crowding?—I do not think we can show that crowding causes it, because we find that vessels which allow only the same space as those in which there was a great mortality, had no mortality at all; and also, that those vessels in which there was a great mortality had in previous voyages very little.

292. Are you of opinion that, as far as space is concerned, the regulations of the American ships are more humane towards the passengers, as affording them more space, as a rule, than ours?—Yes; they afford more space than ours; but at the same time they have great mortality on board American ships, and very little on board English ships.

293. How do you account for that?—It is the most difficult thing possible to account for the great mortality in these ships. There are none of the causes of mortality that prevail in these New York ships, where it is so great, that do not also exist in other ships where it is scarcely anything at all. The only way I can account for it is, the presence on board those ships of German emigrants.

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294. Mr. *C. Fortescue.*] Bringing the cholera?—Yes, from Germany.

295. Mr. *Meagher.*] And yet you stated, where the mortality was very considerable in one or two cases, that there were no Germans on board?—In two instances there were no Germans

296. *Chairman.*] Are there any means of ensuring that a ship shall have been thoroughly cleaned out from the remains of a former cargo before she receives emigrants as passengers on her new voyage; does your inspector look to that point?—Yes, that is seen to by the emigration officer, and no ship can be surveyed until her entire cargo is discharged.

297. Does he take care that she shall be thoroughly cleansed after bringing a cargo of guano?—The emigration officer takes care that the ship is thoroughly cleansed before emigrants are put on board; it is not considered that the smell of guano is unhealthy.

298. Mr. *Liddell.*] It is extremely offensive?—Yes, but it is all pure ammonia; it is a bad cargo for ships; very heavy.

299. *Chairman.*] Is it not difficult to get out all the remains of it?—The smell remains very long.

300. Mr. *Peel.*] Has the number of your agents increased since the Act of 1852 was passed?—We have got an officer now at Southampton, and one at Galway; and at Liverpool there has been an addition of several assistants.

301. The effect of the appointing an agent is to secure a more strict enforcement and observance of the law?—It is.

302. Has the appointment of an agent at any port been followed by a diminution of the emigration at that port?—Yes, at the port of Galway there was a diminution immediately.

303. Is it the fact, that vessels had sailed from that port because it was known that the Custom-house officers would not enforce the law so strictly as if there had been an emigration agent at that port?—I believe that vessels have sailed from there, considering that they would not have been able to pass at ports at which there were emigration officers.

304. Mr. *C. Fortescue.*] At how many Irish ports have you emigration agents?—We have agents at Dublin, Belfast, Londonderry, Sligo, Galway, Limerick, Cork, and Waterford.

305. Mr. *Hamilton.*] What is the extent of the diminution in the number of emigrants who went from Galway, after the appointment of an emigration agent?—I have not got the return, but I can furnish it.

306. Mr. *Peel.*] Are there any Irish ports, where there is a considerable emigration, at which there are not emigration officers?—Tralee is the only Irish port from which there is a considerable emigration at present, at which we have not got an officer.

307. Mr. *C. Fortescue.*] Is there not a considerable emigration from Drogheda?—I think not.

308. Mr. *Peel.*] Where you have not an agent, whose duty is it to look after the interest of the emigrants?—It is the duty of the Customs officer.

309. Can he withhold the certificate?—He performs all the duties that are done by the emigration officer.

310. Having other business to attend to, he cannot do it so efficiently?—No; and not being generally a naval man.

311. Mr. *Hamilton.*] Had you any reason to suppose, except from the diminution in the number of vessels, that the law had not been acted on at Galway previously to your agent being appointed?—We understood that vessels, which would not have passed where there was an emigration officer, had passed at Galway; and it was in consequence of that, that we recommended the appointment of an officer there.

312. Mr. *Meagher.*] Does the Custom-house officer, where there is no emigration officer, make reports to the Emigration Office, as if an emigration officer were there?—He would report to us anything on which he required instructions; that is, he would report through his own Board.

313. Do the emigration officers, at the ports where they are stationed, make regular reports to your office?—They make regular reports of everything which they think it necessary for us to know, and they send for instructions on all points on which they require them.

314. They do not, in fact, make a return of the number of vessels they have inspected?—They do, every month.

315. Mr. *Peel.*] Is there any imperfection in the provisions of the law, with regard to the exemption of vessels carrying emigrants?—Under the present law, every vessel carrying a royal mail is exempted, which I think is too wide an exemption.

316. What is a vessel carrying a royal mail?—It has been held that every vessel having a post-office bag on board carries a royal mail.

317. Have you any reason to suppose that a vessel has contrived to get a letter-bag put on board for the purpose of being exempted from the provisions of the law?—I should not like to say that that was the object of getting a letter-bag put on board, but the effect has been, that vessels carrying a post-office bag have been exempted, where otherwise they would have come under the provisions of the law.

318. Is there any reason why a vessel carrying a letter-bag should be exempted from the law?—I do not think there is.

319. Would it not be sufficient to provide that packets only should be exempted from the law?—It would; only those having a regular contract.

320. And carrying letters for which it is understood the packet rate of postage is paid?—Yes.

321. Mr. *C. Fortescue.*] Sailing vessels, or steamers only?—The exemption applies to steamers only. I must observe, at the same time, that when the law was made, there were no steam vessels carrying passengers; therefore it was not considered necessary, or at any rate so much care was not taken in drawing the restriction tight, as would have been the case if there had been at that time any apprehension that vessels carrying a large number of passengers might escape the law by having a post-office bag on board.

322. Mr. *Peel.*] Do you think it would be sufficient if packets, or Government contract vessels, were exempted from the law?—I think it would.

323. Are convict vessels under the Passengers Act?—Convict vessels are exempted from the Passengers Act, as being under a contract with the Admiralty.

324. *Chairman.*] You stated that the great cause of death is the dirt?—It is.

325. Have you had the means of knowing whether deficient food, deficient means of cooking, deficient ventilation, and deficient water-closets have been crying evils on board emigrant ships?—Undoubtedly they are crying evils, especially the deficiency of food. I have no doubt that the dietary as fixed by the Passengers Act is a very low dietary, and, unfortunately, it is necessarily composed of articles which are not the most wholesome to people who have been accustomed to live, as a large number of the emigrants have been, upon potatoes. I believe the effect of putting those who have been living largely on potatoes (which is the case with the Irish and the Highlanders) on a more concentrated dietary, is to produce sickness and diarrhœa. As I understand, from the inquiries I have made, the effect is this: the potato has a small quantity of nutritive matter in a large bulk, and consequently it distends the stomach largely; and those who have been accustomed to it, when they are put on more nutritive and concentrated food, feel a sensation of sinking and emptiness. They attempt to remedy that by taking a larger quantity of food, which they cannot digest, and that immediately produces disease. But I am afraid that it is almost impossible to remedy that, because potatoes are the very worst food you can put on board a vessel for keeping, as they heat and rot.

326. In the reports which you say you have had from the British North American colonies, and from your agents in Australia, have you many cases, or much information, with regard to deficiency in food, means of cooking, or other such regulations?—We have very little complaint of that from North America; and it scarcely applies to the Australian voyage, because the only vessels in which the labouring classes are carried to Australia are the vessels sent out by Government, in which a special contract exists as to the dietary, and the issue of it.

327. Mr. *Peel.*] Were complaints frequent, before the present law passed, as to the issue of provisions?—There have always been great complaints that the people could not get their provisions cooked.

328. Were not all such grounds of complaint remedied by the Act of 1852?—The law remedied them as far as it could; that is, the law enacted that provisions should be issued cooked in future; but I do not believe that that enactment is properly carried out on board emigrant vessels.

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329. Is it so as to vessels going to British North America?—With regard to those, we have never had any complaints.

330. Sir *T. Herbert.*] You have been on board of a man-of-war?—Yes.

331. You know how the provisions are cooked there?—Yes.

332. Are they cooked in the same way now; are there coppers?—They are are all cooked in coppers.

333. And soup made in them?—The provisions which are required to be issued by this Act scarcely amount to provisions that would make soup; they are only oatmeal, flour, and things of that description; but they are cooked in coppers, and they make cakes of the oatmeal, and bake the flour.

334. Themselves?—They ought to be issued cooked by the ship; and they are, on board ships where we have the control; those ships going to the British colonies. But on board the American ships there is a great deal of neglect; and the usual excuse for the neglect, when we hear of it, is, that the people like to cook their own things.

335. You are quite aware that, where there are 800 or 900 people on board one vessel, it is impossible to have a fire for each to cook their own provisions with?—It is quite impossible.

336. Mr. *Peel.*] In the case of American vessels putting back in distress to English or Irish ports, is it found that this provision with regard to the cooking and issuing of food has not been observed?—That has very often been found to have been the case, and the masters have generally been prosecuted, and penalties recovered; but it is obvious that vessels which put back in distress have always a plausible excuse for having neglected the law, for they have necessarily been in very bad weather, when, of course, all manner of regulations must be neglected.

337. *Chairman.*] Have not complaints reached you from emigrants of the difficulty there is in females or weak persons getting to the galley, or cooking place?—I have seen those complaints continually in the newspapers, and I have no doubt they are true. In order to provide against that in some degree, the Passengers Act of 1852 requires that there shall be a passenger steward on board to assist in distributing the food; but we hear very little of emigrants who go to foreign countries, or to the United States, after they have sailed.

338. You have no means, in fact, of knowing?—No; not more than is known by the public generally,

339. What class at Lloyd's do you take your ships from, for the Australian trade?—We do not take them from classes at Lloyd's lower than Æ diphthong; we do not absolutely require that the ship should be classed at Lloyd's. We depend principally on the surveyor of our ships.

340. You do insist on that survey, your officers informing you that, to the best of their opinion, she is such a ship that, if classed at Lloyd's, would be classed in Æ diphthong?—The certificate does not run in that way, but the survey is extremely strict by our officers; and I may mention that we have rejected several ships which were classed A 1 at Lloyd's.

341. Would you take a vessel which was classed lower than Æ diphthong?—It has been the rule not to do so.

342. Does that apply to the American passenger trade, so far as that is under your control, as well as to the Australian?—No American ship is classed at Lloyd's.

343. The question referred to vessels going to the North American provinces?—No; we have no such right. The ships that we take up by private contract we require to be classed not lower than Æ diphthong, but we have no power to prevent a ship carrying passengers because she is classed lower than that at Lloyd's.

344. Mr. *Peel.*] The officer conducting the inspection would not be justified in rejecting it because she was classed lower?—No.

345. *Chairman.*] Under the existing regulations?—Not under the existing Act of Parliament; nor do I think it would be desirable to lay down any rule making it obligatory.

346. Are you aware that North American ships have not a great reputation for durability?—They are classed for a certain time. A vessel, before she can take passengers on board, undergoes a much stricter survey from our officers than is ever exacted by Lloyd's.

347. They are nautical men?—Yes.

348. Are

348. Are they accompanied by master carpenters?—The general rule is to have one a nautical man, and the other a shipbuilder; we have two surveyors in every port, who survey together.

349. Mr. *Peel.*] In the Australian emigration of 1852, was not a great number of the vessels American vessels?—There were some, not many; four or five were taken up by Government.

350. How many in the private emigration?—I have no return of how many.

351. Was not at least one-half American ships?—In 1853 there were only two foreign ships in the whole Australian emigration; one a Dutchman, and the other an American.

352. You do not know what number of American vessels were employed to take emigrants to Australia in the year 1852?—No.

353. Mr. *Hamilton.*] Can you state whether the survey directed to be made under the 16th section of the Passengers Act is, in point of fact, an efficient survey?—I believe it is very efficient.

354. Are there many instances in which ships have been condemned by those surveyors?—It continually occurs that ships are rejected; and, as I have mentioned, some of the ships which had been taken up, and were rejected on survey, were ships classed A 1 at Lloyd's.

355. To what points does the survey go?—The survey goes to every point; the usual rule is, to take a strake out of the ship to expose her timbers; also to strip the ceiling; to examine her with respect to her equipment, her masts, rigging, the spars and sails, the ground tackle; everything, in fact, that makes a ship seaworthy.

356. In the case of the "Tayleur," Captain Walker stated it as his opinion that she was lost from the want of a proper adjustment of the compasses?—Yes.

357. How far, according to your opinion, does that consideration come within the inspection of the surveyor?—I do not think that is a point which the emigration officer ought to be responsible for.

358. Or the surveyor?—Or the surveyor; the surveyor sees the ship before any of her cargo is on board.

359. The clause states that the surveyor shall certify that the ship is, in his opinion, seaworthy, and fit in all respects for her intended voyage?—Yes.

360. Is it your opinion that the question of the adjustment of the compasses, having reference to the construction of the ship, the ship being of iron, does not form a part of the inspection which, under that clause, should be made by the surveyors?—I do not think it was intended that the surveyor should look to that, nor do I think he could look to it, because the surveyor's duty is to survey the ship when she is empty, before any cargo is on board. Now the compasses would be very much affected by the cargo.

361. The clause states that no passenger ship shall clear out or proceed to sea without such survey?—Yes.

362. Then supposing the nature of the cargo, or the circumstances occurring subsequently to the ship being empty, might affect her seaworthiness, would it not appear to be a part of the duty of the emigration officer or surveyor to take into consideration the altered state of the ship, in consequence of those circumstances which may have subsequently occurred?—The duty of the surveyor is to see that the ship is seaworthy in all respects before she is put on the berth.

363. Before proceeding to sea?—Yes. The emigration officer is to satisfy himself that she is in all respects fit to proceed to sea, and he does so. But the question of compasses has not arisen in any previous instance; and I do not think the emigration officer would be the proper person to swing the ship, and to examine her compasses; for instance, swinging a ship at Liverpool is a very difficult and delicate task, and one that ought to be conducted by a scientific man, specially appointed for that purpose.

364. *Chairman.*] In your opinion ought there to be such a person appointed?—I think there ought to be at all the ports; there ought to be somebody, not employed under the Passengers Act, nor having reference only to emigrant ships. I think it is a thing that ought to be universal with all ships constructed of iron, or having any great quantity of iron on board.

365. In fact, all ships; because the cargo may affect them?—If it is an iron

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cargo ships should be swung before they proceed to sea, and they should obtain a certificate.

366. Supposing such an officer to be appointed, would it not properly be a part of his duty to see that the ship is furnished with proper chronometers and an azimuth compass?—I think it requires chronometers in every passenger ship, and every ship ought to have two chronometers.

367. Are you aware that there have been several of those vessels which have not had chronometers; and that in the case of the "Tayleur" there was not an azimuth compass?—In the case of the "Tayleur" there was not an azimuth compass; I believe there are very few ships which take an azimuth compass to sea. Captain Walker recommends that all ships should have an azimuth compass.

368. Mr. *Hamilton.*] Do you conceive, under the provisions of the Passengers Act, the emigration officer in that particular case might have ordered the "Tayleur" to have been swung?—He might have refused to clear her, at his own peril, of course. He must have shown that there was sufficient cause; but it is to be observed that when the "Tayleur" left the Mersey her compasses were all right. It was after she got to sea that the master first observed the deviation of the compasses; she had been at sea more than four and twenty hours.

369. Mr. *M. Milnes.*] Then you do not suppose that any inquiry with regard to her compasses, as long as she was in the Mersey, could have been efficient?—Mr. Gray, who is a compass-maker at Liverpool, says, he swung her, and her compasses were all right, and she was swung after her cargo was on board, and her compasses were right. I suppose it was so, because there is no complaint of any deviation in the compasses till after she got to sea.

370. Mr. *Hamilton.*] How is it to be accounted for that the variation should have arisen?—I am not able to account for it.

371. Sir *T. Herbert.*] You think it an improvement that all emigration ships should be swung?—I think it an improvement that all vessels, either constructed of iron or carrying iron cargoes, should be swung.

372. Mr. *C. Fortescue.*] Would there be any difficulty in enacting that, either by Act of Parliament, or by Order in Council?—It would require an Act of Parliament; but I think it should be a general Act. I should think it would be very easy, and very appropriate to introduce it into the Bill that is now before Parliament, as I understand, for the regulation of merchant ships.

373. Sir *T. Herbert.*] A clause rendering it compulsory to have an azimuth compass?—As to that, we can require an emigration officer to see that it is on board.

374. Mr. *Liddell.*] Under present circumstances, does not the shipowner, for his own security and the security of his vessel, employ a man to see that all is right, as far as he can ascertain it, before she goes to sea?—The persons interested are, in fact, the underwriters.

375. Sir *T. Herbert.*] Do you happen to know whether Lloyd's agent does anything in that way?—Lloyd's agent inspects the cargoes of ships as to the depth of water, and I believe to a certain extent as to the stowage of cargo at Liverpool, not in London; this is only information I have picked up from conversation; I have no certain knowledge of it.

376. *Chairman.*] Is it not the fact that the "Tayleur" was swung two months before her departure, but not swung after her cargo was stowed?—Mr. Gray said, in his letter to the "Times," that she had been swung after her cargo was on board.

377. Do you think it would be an improvement if there was an officer in the port who should ascertain the facts, whether a ship had been swung after the cargo was stowed and ready for sea, and whether she had chronometers and an azimuth compass?—I think it is desirable that there should be an officer who should be appointed to ascertain the correctness of the compasses.

378. Mr. *Peel.*] But not under the Passengers Act?—Not under the Passengers Act.

379. *Chairman.*] But that it should be obligatory on your officer not to clear the vessel, unless such an officer as you have spoken of should report that those particulars have been observed?—Our officer would require a certificate that the compasses had been properly adjusted before he cleared the vessel.

380. What should he do as to chronometers?—As to chronometers he can ascertain that himself, and the azimuth compass.

381. Your

381. Your officer has not the power, at present, to refuse his certificate to the vessel, because she has no chronometers?—He may refuse to clear the vessel, because he does not consider her in a fit state to proceed to sea.

382. He does that at his peril?—He does it, of course, at the risk of an action.

383-4. He is at this moment liable to be prosecuted for doing acts which the law gave him a discretion to do, but did not positively enjoin him to do?—Yes.

385. Therefore it is better to have the thing laid down by law?—It would save his responsibility, and make his duty easier.

386. Mr. *Hamilton.*] Is there not a difference between imposing restrictions and regulations by law on vessels generally, and imposing restrictions and regulations by law on vessels for emigrants?—Clearly.

387. The restrictions and regulations which might be justifiable in the latter case, might be left to the parties themselves in this case?—Certainly they might; but there is no reason why I should have made the suggestion that it should be general, because I really have nothing to do except with passenger vessels. All I meant to say is, that it is not a thing which the emigration officer should be required to do.

388. Mr. *Fagan.*] Do not the Commissioners protect their officer in the discharge of his duty against these actions?—I trust that if he should be cast, and damages awarded, the Government will pay them.

389. And the expenses incurred in defending it?—Yes; of course he will be provided with counsel.

390. *Chairman.*] With regard to water-closets, they are generally on deck in these emigrant ships going to America?—They are generally on deck; they are a very great nuisance between decks. It is almost impossible to keep them clean.

391. They are generally in the bows of the vessel?—Sometimes in the bows, and sometimes in the after part of the vessel.

392. Does the emigration officer examine whether they are strongly or securely built?—Yes, he sees that they are properly put up.

393. When a vessel has been at sea some time, she has of course been subject to many varieties of weather, and the sea breaking over the bows would knock these places to pieces?—There have been instances where they have been carried away, but generally they are fastened to the bulwarks, and anything that will not carry away the bulwarks will not carry them away.

394. What is the custom in the Australian ships with regard to water-closets?—The greatest difficulty that we have to contend with is the water-closets. We have generally put about four in the between decks, but they have been found so great a nuisance that we have proposed to remove all but two, one in the female hospital, and one for the single women, and to put all the others on deck. But they hardly ever get to Australia without being out of order. In the first place, the working of the ship deranges them; and then the people who are put on board, the labouring classes, are not in the habit of using that kind of convenience, and they use it very ill, and throw bones and all sorts of things down it. They are the greatest nuisance that can possibly be on board ship. I believe on board men-of-war they are bad enough, and they are much worse on board emigrant ships.

395. Still you have them between decks?—Yes, but it is almost impossible to prevent their leaking. The people do not understand the plugs, and they every now and then set the water going, and do not turn it off, and then they flood the decks. We have now tried to get them self-acting, but a thing that acts very well on shore as self-acting will not act at sea. In fact, I confess that we are quite at our wits' end on the subject of water-closets.

396. Undoubtedly there are difficulties, but is there not great suffering on board emigrant ships, particularly by female passengers, from the want of those conveniences?—Yes, and there always must be. I do not mean to say that the water-closets on board these American ships are the best that can be constructed; but with every care that can be given, and every expense that can be incurred in the construction, they will be an intolerable nuisance on board ships, and in that respect emigrants will always suffer very much.

397. What provision is made for the separation of the sexes on board of those American vessels?—The law requires that single men should be berthed for-

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ward, and be separated from the married couples and single women. That was an alteration of the law introduced in 1852.

398. Mr. *Peel.*] All those new provisions have worked satisfactorily, so far as you are aware?—Yes.

399. *Chairman.*] In fact the evidence of their not working well would be evidence to be got from the other side?—Of course, and the only evidence we have of the vessels going to the United States, are the letters that from time to time appear in the newspapers.

400. How has the Passengers Act worked with regard to vessels going to the British North-American colonies?—With regard to those the Passengers Act has worked very satisfactorily, as far as we know.

401. Mr. *M. Milnes.*] Are there any particular characteristics or difference between the American and English plan of vessels?—The Americans are the finest vessels of the two; very much the largest, very high between decks; they are sometimes as much as eight or nine feet between decks.

402. As to the management of the vessels?—The arrangements are much better than on board our vessels, because they are built specially for the business, and they are employed only in that business from this country. Their great trade is carrying emigrants.

403. Mr. *Peel.*] Where passengers find themselves at some other place than the one to which they have contracted to be carried, they may be sent on to the place they intended to go to at the expense of the owner of the vessel?—Yes, if in a foreign port, the consul may send them; if in a colonial port the governor.

404. Great expense is incurred in doing that?—The limit of the expense is, that the owner shall not be required to pay more than the original passage-money received by him.

405. Is that sufficient?—It does not anything like cover the expense of sending them on.

406. Is there any reason why he should not pay the actual expense of forwarding these persons?—The only reason is, that it would be exceedingly hard on him, because he would never know how much he has to insure for. If there is a limit fixed, whatever it may be, he can insure himself against it. Again; he has no control over the manner in which the money to send the people on may be spent.

407. But the money is spent by Government officers?—Still the owner might object to whatever the Government officer might spend.

408. Large expenses have been incurred in forwarding emigrants under this 16th section, which have not been recovered from the owner of the vessel?—In the course of last year very considerable expense. I may mention one instance, the case of the "Sir Fowell Buxton," which was wrecked on the coast of South America; the whole money that was recovered from the owner was about 2,500*l.*, and the expense incurred in sending on those emigrants was considerably above 10,000*l.*

409. Paid out of the public treasury?—Yes; but it would have been very hard on the owner to have made him pay that 10,000*l.*

410. What was the cause of the great expense; the difficulty of finding a vessel fit to be chartered?—The vessel was wrecked in a small place on the coast of South America, where no vessels were to be got, and provisions became immediately very scarce by the introduction of 200 people; and there was no water to be got except at a considerable distance. Then it was necessary to hire small vessels at Bahia to go to this place to take the passengers to Bahia. Afterwards it was found necessary to pay very high indeed for a vessel from Bahia to Australia.

411. You would not recommend that the owners should be liable for any larger sum than the amount paid for their passage by the passengers?—No, I think that is a fair limit.

412. Mr. *Fagan.*] How was the 2,500*l.* recovered?—We called upon the owner to pay it.

413. Suppose that the owner was a foreigner, or that it was an United States ship, how would you have proceeded?—We could only have recovered then on the bond.

414. And the bond is limited to 1,000*l.*?—Yes. If there was nobody in this country from whom we could have recovered, the Act would have given us power

power to recover from anybody who received the passage-money. Probably the passages would have been sold in this country; we could have recovered from the agent who sold the passages. If he had gone to the United States, of course the liability would fail.

415. But the consul undertakes, at the expense of Government, in the first instance, to send the passengers to their ultimate destination?—The consul undertakes in the first instance; he becomes liable; and, if he did not, there would be great risk of distress, if not of loss of life.

416. *Chairman.*] With regard to the muster of the passengers, that was a point with regard to which a good deal of evidence was taken by the last Committee; has there been anything done to amend the evils then complained of, to prevent a greater number of passengers being taken on board than the vessel was chartered for?—The law provides that the passengers should be mustered before the vessel proceeds to sea, which is done very carefully.

417. Is it done in dock, or out in the river, at Liverpool?—It is generally, at Liverpool, done in dock.

418. But passengers, as we understand, get on board in the river?—There have been instances of it, but they are not numerous, because ships going to the United States would be liable to very heavy penalties if they arrived with more passengers than the United States law will allow. That is one of the points that the United States appear to look very strictly after.

419. Are not cases known where passengers have got on board vessels, and it has not been known whether they were British or American, in passing out of dock?—Not when a vessel is absolutely going out of dock, but there have been cases of boats going off with passengers; there have been cases of a vessel going away with passengers who had not passed the law. Such a case happened in a vessel which went out, not as an emigrant vessel, and after she had got to sea, emigrants were taken on board; and the master, seeing that an illegal act had been committed, put into Beaumaris, and we seized the vessel.

420. A large number of Irish passengers come in steamers across the Channel?—A great many; all, in fact.

421. Mr. *Peel.*] Those voyages do not come under this Act at all?—No.

422. *Chairman.*] But the fare they pay is included in their contract ticket?—I believe it is; I believe the contract is to send them to Liverpool, and put them on board.

423. Have you any evidence as to the exposure to which those passengers are subjected on board the steamers?—No, we have no information on the subject; that is a matter which is under the Board of Trade. There is an Act now before Parliament for regulating the numbers that may be carried in such vessels; at present it is under the Steam Navigation Act, 14 & 15 Victoria, c. 79.

424. That Act does not relate to the protection or shelter to be given to the passengers?—I am not acquainted with the Act.

425. It was referred to in the last Committee?—It has reference to the number that can be carried, the space, and also the seaworthiness of the vessel.

426. Are you aware that it has been stated that the seeds of diseases which afterwards developed themselves during the voyage of passenger ships, were supposed to have been sown by the exposure and bad treatment which these passengers, coming over in steamers, received on board those steamers?—I have no information on that point; considering how short the voyage is, I should not have thought it likely.

427. There has been no such report made to you?—Not to the Commissioners.

428. Mr. *Fagan.*] Do the Commissioners take cognisance of the treatment of emigrants in the Channel passage?—No, they are not emigrants in the eye of the law.

429. Mr. *Meagher.*] Have you any suggestion to make as to the time of year emigration should be limited to?—Winter is a bad time of the year for emigration; but I should not be prepared to recommend that Parliament should prohibit it.

430. Emigrants going off in the depth of winter, or in very bad weather, to Liverpool, suffer very much on board those steamers; then they are embarked again in Liverpool at this very bad season, and are wholly unprepared for the consequences?—The remedy for that would be to enact that they should have better accommodation on board the steamers coming from Ireland.

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431. A better remedy would be to restrain emigration to a more seasonable time of the year?—It would be rather a strong measure to say that no one should leave the country in certain months of the year.

432. Mr. *M. Milnes.*] Have any steps been taken to improve the condition and increase the number of the surgeons in emigrant ships?—I am not aware that any measures have been taken with that object; I do not exactly see what measures could be taken.

433. By what process do you procure surgeons on board emigrant ships?—For our own vessels (and we only appoint to our own vessels) we have a very large number of surgeons, who have entered into our employment as a regular service, and who return to us from the Australian colonies, and go out in our ships again; so that we never want a sufficient number of applicants.

434. Did you not state that there were cases in which there was a demand for more surgical assistance than could be obtained?—No; I stated that the law did not require all emigrant vessels to carry surgeons, because it was supposed that it would not be possible to get a sufficient number of surgeons; but for our own ships, which go out under a contract with Government, there is no difficulty in getting surgeons.

435. Do you suppose, if it was considered necessary that every emigrant ship should take out a surgeon, that in time there would not be a sufficient supply?—In time there would, but not immediately.

436. Even at the present time, is it not necessary to take sometimes, as surgeons, persons very little qualified for such an undertaking as to be surgeon in an emigrant ship?—By law, no surgeon can be passed if he is not legally qualified to practise in this country, or in the country to which the ship to which he is appointed belongs.

437. Mr. *C. Fortescue.*] He may be an apothecary?—Yes.

438. Mr. *M. Milnes.*] Are not some of the surgeons very young?—Some are; you are alluding now to general ships, not to the Government ships.

439. With regard to the surgical attendance upon the Government ships, you think that quite satisfactory?—I think that quite satisfactory; I can only say that we have appointed a very large number of surgeons, and have heard very few complaints about them; for instance, I gave to the Committee in 1851 a return as to the complaints against our surgeons, which were very few. I find that in 1852 we appointed 108 surgeons, and had complaints of inefficiency only as to 15; these complaints did not relate to any want of medical skill, or moral conduct, but were general complaints of want of energy in managing large bodies of emigrants.

440. Are there any advantages connected with a surgeon being on your establishment which insures the Government vessels getting the pick of the profession?—Yes, the pay is tolerably good; the pay is 10 *s.* a head for every one landed in the colony for the first two voyages; 12 *s.* a head for the third and fourth voyage; 14 *s.* a head for the fifth and sixth voyage; and 16 *s.* for every other voyage, in addition to which the surgeon gets 40 *l.* to pay the expense of his return passage.

441. Is the pay of surgeons in other emigrant vessels than Government vessels inferior to that?—I should think very much, but I have no means of knowing what it is.

442. It is, therefore, probable that the surgeons employed in the general emigrant service are an inferior class to those employed in the Government service?—I should think probably so.

443. Mr. *V. Smith.*] How long do they usually stop with you; do they make more than one voyage?—Some of them eight or nine voyages. For instance, in 1852, seven of our surgeons had made one voyage, two had made two voyages, ten had made three, and two had made four.

444. Mr. *M. Milnes.*] Do a large proportion remain in the colonies?—A great many.

445. Mr. *Peel.*] You receive a report of their qualifications on every voyage?—Yes.

446. Mr. *M. Milnes.*] But we know little or nothing about the qualifications, or even the general conduct, of the surgeons on board the general emigration ships?—No, except in the case of vessels that go to our own colonies; in which, if a surgeon misconducts himself, there would be a complaint to the emigration officer.

officer. The surgeons in those ships are officers of the ship, which they are not with us.

447. Have there been many complaints in those cases?—No complaints have come home to us about it.

448. Do you happen to know whether the surgical service in the American ships is satisfactory?—I have no reports on the subject.

449. You do not know whether their pay is better, and whether the station of the men is better?—No, I have no information about it.

450. *Chairman.*] You did recommend to the Committee of 1851 a kind of central booking-office, and also a depôt for emigrants; are you still of opinion that those would be desirable?—I think it would be a good thing where there is a large emigration business. The charterers or owners of ships, or at any rate those who let passages, if so centralised, would be easily amenable to control; but at the same time it would be a great interference with trade at Liverpool.

451. Of course all regulations must be?—I do not think that there is any advantage to be derived from it, which would justify Parliament in making it obligatory by law.

452. Have the evils connected with the system of runners, or persons soliciting the emigrants and taking them to low lodging-houses, at all been mitigated?—They have abated very much; we have not heard of them for two or three years; the only provision in this Act which applies at all to it, is the provision which gives the Dock Trustees the power of regulating the porterage within their docks. I know that they have issued no regulations in consequence, and on our inquiring why they did not do so, we were informed that they did not think it necessary.

453. Mr. *Peel.*] Did not this Act require them to be licensed for the first time?—The Act requires that all agents employed should be licensed, and that lists should be furnished to the emigration officer; but great abuses were committed by people who acted without any authority whatever. The great complaint was, that the runners were people who cheated the emigrants and the shipowners equally.

454. Would a passage broker be deprived of his license if he gave a ticket to an emigrant, brought to his office by a runner who was not duly licensed or authorised to act as runner?—That would be for the magistrates to decide; the magistrates have the power to take away a license.

455. Complaints very seldom reach you now, since the passing of this Act?—We have very few.

456. Mr. *V. Smith.*] Do you know what is the custom or regulation with regard to the payment of the wages of the ship's crew before they leave the harbour?—No, I do not.

457. Do you know whether they are paid a sum on the morning or evening previous to their departure?—No.

458. Have your agents any opportunity of observing on the condition of the crews?—When they clear a ship, they see that the crew is on board, and in a proper state; the emigration officer would not clear the ship if he had reason to suppose that the crew were not in a state to go to sea.

459. Would he refuse to clear the ship if the crew were in a state of inebriety, or approaching to that?—Certainly he would; but sometimes ships clear out and lie in the river, and the emigration officer gives his clearance, and has no further power.

460. Then he has not a last opportunity of observation?—Not necessarily; generally speaking, ships go out of dock and get to sea as fast as they can, but sometimes they lie in the river wind-bound, and he has no opportunity then.

461. Do not his opportunities lead him to make reports to you on such a subject?—He would if there was anything necessary to bring to our notice.

462. Are you aware that there are frequent cases of vessels leaving the harbour with their crew in a state of inebriety?—From some inquiries that I have made of the emigration officers, I believe that to be very rare indeed. The officer would not clear the ship if the crew was in that state.

463. Has he such an opportunity that he could stop it at the last moment?—He has no power to stop the ship after he has given the clearance.

464. *Chairman.*] Could he not delay the clearance, it being a pretty well ascertained fact, that a large number of merchant vessels go to sea with many of their

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their crews inebriated, could he not be empowered to withhold the clearance till the ship's crew was in a state of efficiency?—He would not give it without the crew was in a state of efficiency; he cannot prevent the ship, after she gets out of docks, from anchoring in the river.

465. Supposing her suddenly wind-bound, he, having once given his clearance, has lost all further power over her?—He has lost control of her.

466. Mr. *C. Fortescue.*] Supposing he has reason to believe that the ship will be wind-bound, can he delay it?—He always withholds his clearance until the vessel is ready to go to sea; and they do not apply for it, because, generally speaking, vessels are taking in their cargo and emigrants till the last moment, but sometimes, after they get out of dock, they anchor in the river.

467. Mr. *V. Smith.*] Of what use is the clearance unless it is given at the last moment, because all the evils it is meant to avoid may occur?—The clearance is not given until it is supposed to be the last moment; but sometimes, after a vessel has cleared and gone out of dock, she anchors in the river.

468. And during that time not only inebriety may take place among the crew, but all sorts of frauds among the emigrants?—If it were discovered, the master would be liable to the penalties of the Act.

469. But supposing your agent, having given a clearance, is aware that the vessel is still lying at anchor in the river, does he take no further steps?—If she were to lie there any length of time, he would go off to see her.

470. Has he instructions from you to that effect?—No.

471. Do you not think that he ought to have?—We must add very much to our staff to do that.

472. Is it not perfectly clear that that period may make the whole of your examination nugatory?—It could only make it nugatory, supposing the crew went on shore and got drunk. I do not think in any other way it could affect it.

473. Both as regards the crews and the emigrants, the emigrants may be shifted during that time, and persons may come in whom you ought not to have allowed; therefore all the evils your clearance is meant to prevent may, in fact, happen?—That can hardly be done without its coming to the emigration officer's knowledge, in which case he would immediately go off.

474. Then he has general instructions to act?—He has general instructions to carry out the Act, and the Act would require that he should go and enforce a penalty.

475. Have you known a case of an additional report in consequence of such altered circumstances?—No; I have known no cases of any complaint.

476. There would be no complaint, but have you known cases where such circumstances have occurred, and there have been additional reports?—I am not aware that any such circumstances have occurred. They sometimes lie in the river when the wind shifts.

477. Sir *J. Anderson.*] Is not that quite an exceptional case?—Quite an exceptional case.

478. Sir *T. Herbert.*] In fact, after the clearance they have nothing more to do?—After the clearance they have nothing more to do, and the ship ought to go to sea.

479. *Chairman.*] The "Tayleur" went to sea immediately after being cleared?—Yes.

480. And yet a number of the crew were said to be drunk?—I do not think there is any evidence of that.

481. Mr. *C. Fortescue.*] Would it not be desirable that the agent should be instructed not to give the clearance till the last moment?—He is so instructed.

*Lunæ, 20° die Martii, 1854.*

MEMBERS PRESENT.

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|---|---|
| Mr. John O'Connell. | Mr. G. A. Hamilton. |
| Mr. Peel. | Sir Thomas Herbert. |
| Mr. Chichester Fortescue. | Mr. Fagan. |
| Mr. Vernon Smith. | Captain Scobell. |
| Mr. Hankey. | Mr. Higgins. |
| Sir James Anderson. | Mr. Davison. |
| Mr. Meagher. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

*Thomas William Clinton Murdoch*, Esq., again called in; and further Examined.

*T. W. C. Murdoch, Esq.*

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482. Mr. *Peel.*] CAN you give the Committee some statistics of the emigration on board Government vessels, showing the number of persons carried, and the number of persons who have died from all causes?—In the year 1848 we sent out 71 ships, carrying 17,754 people. The total number of deaths was 302, being equal to 1·73 per cent.; those of children under 14 was 199, equal to 1·12; those above 14 were 109, equal to ·61. In 1849 we sent out 77 ships, carrying 19,428 people; the number of deaths was 368, equal to 1·89. The deaths of children under 14 were 252, being 1·30 of the whole number, and the adults were 116, being ·59, little more than a half per cent. In 1850 we sent out 26 ships, carrying 6,830 people. The whole number of deaths was 154, equal to 2·25. Of those, the number of children that died were 92, equal to 1·34. The adults were 62, equal to ·91. In 1851 we sent out 45 ships, carrying 11,693 people. The whole deaths were 231, equal to 1·97. Deaths of children under fourteen, 153, equal to 1·31. The deaths of adults were 78, equal to ·66. In 1852 we sent out 97 ships, carrying 34,095. The whole mortality was 1,664, which is very large, being equal to 4·48 on the whole emigration. But of those 1,664 deaths, 1,223 were of children under four years of age, being 3·59 of the whole mortality. The deaths of children between four and 14 was only 74, being equal to ·22, or not one-fourth. The deaths of adults was 367, being equal to 1·7. That was the only year in which we had any considerable mortality, which it will be easy to explain hereafter. In the year 1853 we sent out 84 ships. We have received accounts of 45 of them, which carried 15,280 people. Of those 15,280, 279 died, being equal to 1·82. But of those 279, 197 were children of four years and under, equal to 1·28. Seventeen only were children between four and 14, equal to ·11; and 65 were adults, equal to ·42.

483. To what causes do you attribute the high rate of mortality in the year 1852 on board your ships?—The mortality in 1852, it will be seen, prevailed almost exclusively among children of four years and under; that is, three-fourths of the whole mortality was in children of four years and under.

484. Was there an unusual number of children on board those vessels?—There was.

485. To what was that owing?—When the gold discovery was first known in this country, it was known also that the effect had been to produce desertion of all agricultural and pastoral pursuits in the Australian colonies. There was accordingly a very great desire among those connected with the colonies to have a large emigration set on foot, and that the emigration should be of people not likely to desert the regular employments; not likely, in fact, to go to the gold fields. At the close of 1851 or at the beginning of 1852, the desire to emigrate in this

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this country had fallen to a very low point, so much so that it was with great difficulty we could fill the ships we were then taking up. At that time, and for some years before, our rule had been not to take families with more than three children under ten years of age, and two under seven. In order to admit a larger number of applicants, and at the same time to send out families who would not be likely to go to the gold fields, we agreed, at the strong and urgent request of gentlemen connected with Australia, to relax the rules, so as to take families with four children under 12. The relaxation seemed to be a very small thing, in fact, at the time, and we did not anticipate that it would have brought us so large a number of very young children. But the effect was, that we were induced to send out a very large number of families of which the children were very young. It is quite obvious that those were the families which were most anxious to get out, because young couples whose children are coming quickly are generally in distressed circumstances, and they are still of the age at which they are willing to break off their connexion with this country.

486. Did you discontinue the relaxation of your rules in consequence?—We did, immediately we heard of the mortality which had taken place; on the very first intelligence we received of that we discontinued the rule.

487. Was there a scarcity of ships at the time?—There was at that time a scarcity of ships, and that was another cause of the mortality. We were obliged to take up ships a good deal larger than we ever had taken up before. There was a great scarcity of ships. It was not only that ships were very dear; they were about 40 per cent. dearer than they had been a few months before; but they were not to be got for any price whatever. We put out advertisements for tenders, but we did not get a sufficient number of tenders to answer the advertisements we put out. So strong was the wish at that time that we should send out emigrants, that it was very much pressed on the Government to send our advertisements to foreign ports in order to invite foreign ships, and we did at that time send our advertisements to every port in the United Kingdom, which appeared to have more than 300 ships belonging to it of 500 tons and upwards; yet, even with that, we were able to get very few ships; and if we had not taken the large ships we should not have got any at all.

488. By large ships, you mean ships with two decks?—Yes; we took eight ships with two decks in the course of the year.

489. Do you now take double-decked vessels?—No, not any double-decked ships.

490. Have you made any calculation to show that the rate of mortality rises almost steadily with the number of emigrants on board a vessel, when the number exceeds a certain point?—The calculations that we have made show that probably the safe limit is from 400 to 450 souls on board, which would be equal to something less than what is called 400 statute adults. Up to that, the mortality does not seem to be much increased by the number; but after that, and especially on so long a voyage as Australia, with two-decked ships, undoubtedly the mortality has increased. We have found it so. At the same time it has been almost entirely among the young children.

491. How long has there been an unassisted emigration to Australia?—The unassisted emigration has almost entirely sprung up within the last two years; but that is of a very different class from the unassisted emigration to America. It is clear that those who go across to the continent of America, and whose passage does not cost more than from 50*s.* to 4*l.*, could not afford to pay the price of a passage to Australia, besides the expense of providing themselves with an outfit. The outfit alone to Australia is as expensive as the whole passage to the United States.

492. Have you any figured statement with regard to the loss of life on board emigrant vessels generally, arising from shipwreck?—Yes. In 1852 the House of Commons moved for a Return, which was printed on the 6th of April, showing the loss of life by shipwreck up to that date. Perhaps it is only necessary that I should read the summary of it. The Return applied to the five years, from 1847 to 1851 inclusive. It is as follows:—

SUMMARY

SUMMARY OF FIVE YEARS.

| | SHIPS. | | | |
|---|---|---|---|---|
| | Number sent. | Number of Wrecks. | Per Centage of Loss. | |
| Ships Chartered by the Colonial Land and Emigration Commissioners - | 252 | 1 | ·396 | = 1 in 252. |
| Ships dispatched from ports under the superintendence of Government Emigration Officers - - - - - | 5,964 | 30 | ·503 | = 1 in 199. |
| Ships dispatched from ports not under the superintendence of Government Emigration Officers - - - | 913 | 13 | 1·42 | = 1 in 70. |
| Total - - - | 7,129 | 44 | ·61 | = 1 in 162. |

| | PASSENGERS. | | | |
|---|---|---|---|---|
| | Number Embarked. | Lives lost by Shipwreck. | Per Centage of Loss. | |
| In ships dispatched by the Colonial Land and Emigration Commissioners | 72,340 | None. | None. | |
| In ships from ports under the superintendence of Government Emigration Officers - - - - - - | 1,347,361 | 922 | ·068 | = 1 in 1,461. |
| In ships from ports not under the superintendence of Government Emigration Officers - - - - - | 74,343 | 121 | ·162 | = 1 in 614. |
| Total - - - | 1,494,044 | 1,043 | ·069 | = 1 in 1,432. |

That is up to the end of 1851. I have here a similar return for the last two years, of which the summary is as follows :—

| | SHIPS. | | | | PASSENGERS. | | | |
|---|---|---|---|---|---|---|---|---|
| | Number dispatched. | Number Wrecked. | Per Centage. | | Number embarked. | Number of Lives Lost. | Per Centage. | |
| Ships chartered by the Colonial Land and Emigration Commissioners - - - | 181 | 1 | ·55 | = 1 in 181 - | 68,020 | - Nil - | - Nil - | Nil. |
| Ships dispatched from ports under superintendence of Government Emigration Officers - - - - - - - - - | 4,300 | 13 | ·30 | = 1 in 330 - | 724,963 | 510 | ·07 | = 1 in 1,421 |
| Ships dispatched from ports not under ditto | 358 | 2 | ·55 | = 1 in 179 - | 22,975 | 14 | ·06 | = 1 in 1,641 |
| Total - - - | 4,839 | 16 | ·33 | = 1 in 302 - | 815,968 | 524 | ·06 | = 1 in 1,557 |

This return does not include the "Tayleur," which was wrecked in the month of January last. The wrecks that it does include I believe I can state to the Committee if they wish it. The only ship belonging to the Commissioners was the "Sacramento," which was wrecked off Port Philip Heads. It is stated in a

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report from the colony that the captain hove to in the tide way, and got ashore. No lives were lost; the people were all taken off. In 1852 one ship from London was lost, the "Sir Fowell Buxton:" she was wrecked off the coast of Brazil, but no lives lost. In 1853 two ships were lost. The "Meridian" was wrecked on Amsterdam island in the Indian Ocean, and two of the crew and one passenger were lost; and the "Tory" was wrecked off Port Stephen, in New South Wales, at the end of her voyage, but no lives were lost; she was within seven miles of her port. From Liverpool, in 1852, the "Bhurtpore" was wrecked off the coast of Wexford, but no lives were lost. She was wrecked on the Arklow Bank, where a vessel was wrecked the other day. The St. George, for New York, was burnt at sea, and 51 lives were lost in her. In 1853 the "Annie Jane," for Quebec, was wrecked on Barra Island, and 291 lives were lost. The "Staffordshire," for Boston, was wrecked on a small island off the coast of Nova Scotia, and 148 lives were lost. The "Osborne," for New Orleans, was wrecked on the Grand Bahama Bank, but no lives were lost. The "William and Mary," also for New Orleans, was wrecked in the Bahama Channel, nearly in the same place, but no lives were lost. "The Western World," for New York, was wrecked on Square Beach, New York, but no lives were lost. The "Niagara," for New York, was also wrecked close off the coast of Wexford, but no lives were lost. From Sligo one vessel was lost, the "California Packet;" she was abandoned at sea, and 17 lives were lost, not from shipwreck but by exhaustion in the boats.

493. Have not the owner and master of that vessel been found guilty of manslaughter?—They were prosecuted for manslaughter and found guilty, and the owner has been sentenced to 18 months' imprisonment, and the master to nine months.

494. *Chairman.*] They took the vessel to sea without waiting for your officer to inspect them a second time?—She went to sea originally from Sligo, after having been properly examined and passed. She was a very finely built vessel, and in very good order, but she had a very bad cargo on board; she had a great quantity of iron, and having met with bad weather and lost her upper spars, she put back into Broad Haven, and there she was inspected and surveyed by the Custom-house officer of Westport. He gave a conditional clearance that she would be fit for sea as soon as she had repaired her spars. After he had given that clearance bad weather came on, and she dragged her anchors in Broad Haven harbour, and struck twice very heavily. In the meantime we had written to the Custom-house officer to desire that he would inspect her with reference to her cargo, to see whether her cargo was properly stowed, and whether it was not too heavy. He wrote to the master to say that he was coming to inspect, and to desire that he would not put to sea until his arrival. The master got this letter in the morning, and without waiting the arrival of the Custom-house officer, who was detained by business, he put to sea, the ship being at that time in a very unseaworthy condition, in consequence of the injury that she had sustained after dragging her anchors. After she had got about 70 miles out to sea, the leak which she had at the time she sailed increased so much that it was found necessary to abandon her. They put the people into the several boats, but they did not take a sufficient quantity of water or proper provisions. After they had left the vessel some time, the boat in which the master, owner, and mate were, succeeded in obtaining from the other boats the water which they had, and deserted them, and made for the shore. All the boats landed safely, but in consequence of the suffering from the want of water 17 lives were lost, principally those of young children.

495. Are there any other wrecks?—From Scarborough, the "Trusty" was wrecked at Cape Gaspé, in the Gulf of St. Lawrence; nine passengers and five of the crew were lost. Those are all of the wrecks of which I have any account.

496. The per-centage of deaths from shipwreck appears to be largest in the case of vessels leaving ports where there are no emigration agents?—It is not in this case; but it was by a former return considerably larger. In the present instance the per-centage is ·01 less.

497. By "the present instance," do you mean the return for the year 1853?—1852-3. The return for five years, from 1847 to 1851, made the per-centage considerably higher in ports not under the superintendence of Government emigration officers.

498. Mr. *Peel.*] Is the emigration from ports not under the superintendence of

of Government emigration officers as large proportionately now as it used to be?—No, it is less.

499. Do you not appoint an emigration agent at a port from which there is a considerable emigration?—Whenever emigration seems to grow up in a particular port, we apply to the Secretary of State for leave to appoint an emigration officer there. We have appointed an emigration officer at Galway, in consequence of the emigration growing up; and I stated, the last time I was before the Committee, that the effect had been to diminish the emigration. I believe the reason to be, that the ships which would not pass an emigration officer, who is a naval man, specially appointed for the purpose, would be likely to pass a Custom-house officer, who was not a naval man, and who had many other duties to perform; and who, therefore, could not be expected to give so undivided and close an attention to the subject as an officer appointed *ad hoc*. I was desired then to give the Return of the emigration before and since the appointment. I have got here the number who emigrated from Galway in the years immediately before and the two years subsequent to the appointment. In the year 1848 the numbers from Galway were 4,235; in 1849, 3,933; in 1850, 3,018; in 1851, 4,629. In February 1852, the emigration officer was appointed, and in 1852 the numbers were 774 only; and in 1853, 514.

500. *Chairman.*] Could you attribute that to any other cause but the dislike to subject their ships to Government inspection?—I am not aware of any other cause.

501. Mr. *Peel.*] Do the returns which you have given of emigration to Australia include the case of the ship "Hercules"?—Yes, the mortality of those who ultimately sailed in her; but they do not include those who died at Cork.

502. What was the result of that voyage eventually?—They went out with very little mortality after they left Cork. The "Hercules," as you are aware, sailed from Campbelltown on the day after Christmas-day 1851, on the night of which day there happened a storm of the most violent description that has been known for many years. The consequence was, that the "Hercules," after being at sea about six days, and meeting with the very worst weather, was obliged to put back into Rothesay Harbour. She was detained in Rothesay Harbour a fortnight, and after she had put to sea again, and had been at sea about six days, small-pox broke out, in consequence of which she put into Cork. The small-pox patients were immediately landed and taken to Haulbowline, but the disease spread. After some time, typhus fever broke out; and the naval authorities being, perhaps very naturally, frightened at this fever, would not admit the patients into Haulbowline. The consequence was, that they were obliged to be kept some time on board ship. The people of Cork were very much frightened, and opposed as much they could the landing of the people and taking them into the town; and it was not at all unnatural that they should do so. The result was, that with the greatest efforts we could make, we could not get any place into which to put the people, so as to allow of the fumigation of the ship. At last, however, we obtained from the military authorities a hospital which was not much used, which they cleared out for us. We then landed the healthy, and separated them entirely from the sick, the ship was fumigated and cleansed, and, after some time, we sent her to sea with as many as were healthy on board, andwe have since sent on the others by other opportunities. The number originally embarked on board the "Hercules" was 756; the number of deaths from small-pox and typhus fever was 56; and 17 persons returned home, principally children whose fathers and mothers had died. There finally sailed in the "Hercules" only 380; the number of deaths on board were only seven after leaving Cork.

503. Did you find the same difficulty last autumn in disposing of the cholera patients on board emigrant vessels in Cork?—Yes, there was great difficulty; the "Kossuth" put into Cork with cholera on board, and there was great opposition to landing them. They were, however, eventually landed, and the ship was made healthy, and got away safe.

504. Captain *Scobell.*] The "Hercules" was an old 74 gun ship?—Yes.

505. There was no want of room in her?—There was plenty of room on board.

506. Mr. *Peel.*] Still there was a larger number of emigrants than you would now carry again on board one ship?—Certainly; we should never again

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put so large a number on board any ship, nor should we ever put emigrants in our emigration on board two-decked vessels.

507. Captain *Scobell.*] Not in such a ship as a line-of-battle ship?—No, I should be very unwilling to do it.

508. Sir *T. Herbert.*] With regard to the ship which took out 900 passengers, mentioned the other day, was she larger than the "Hercules"?—It is difficult to say.

509. The "Hercules" was fitted up purposely for emigrants?—There were three ships which took 900 passengers, or nearly so. The "Washington" was 1,791 tons, the "Calhoun" was 1,863 tons, and the "Constellation" was 1,768 tons. But that affords no means of comparing them with a line-of-battle ship, because the tonnage of a line-of-battle ship is measured from the lower deck down to the hold, not over all as the others are.

510. The "Hercules" was as large a ship as the one you have just named; she measured 1,900 tons?—Not quite so much as that; she would not have the same space between decks as these ships.

511. Do you happen to know how that ship was stowed?—I am not aware that she carried anything but the emigrants' provisions, which were below. I suppose she must have had a good deal of iron below. Captain Baynton was a most excellent officer, and treated the emigrants in the kindest possible way.

512. Captain *Scobell.*] You spoke of a great many children dying in the emigrant ships; has that been from any prevailing children's disease?—Almost always some children's disease will break out; either scarlatina, measles, or hooping-cough; and it will run through the children in the ship. The effect of it, generally, is to produce a good deal of low fever among the adult emigrants on board from the dirt and bad air.

513. Sir *T. Herbert.*] Do you know what the dietary was on board?—The dietary on board was exactly the same as the dietary in our ordinary ships, the scale of which I could furnish the Committee with.

514. Was the dietary on board the "Hercules" according to the regulations of the Emigration Commissioners?—The dietary on board the "Hercules" was exactly the same as on board all the ships taken up by us, which is a dietary very much fuller and better than the dietary prescribed by the Act of Parliament, which dietary is really intended to apply only to ships going to America, and I believe only does so apply. I have here a copy of one of our present charter-parties, which gives the dietary scale now in use. This is not exactly the dietary scale used on board the "Hercules." That, however, I could of course supply. Since that time we have made a change in the dietary scale, under medical advice, with a view to provide a better description of food for very young children, so as to endeavour to diminish the mortality among them.

515. Were the emigrants on board the "Hercules" principally Scotch?—They were all Scotch, principally from the Isle of Skye.

516. About what ages were the children?—There were children of all ages; at that time, as I mentioned before, we were taking four children under twelve. I am afraid that from four children under twelve, it really came to be four children under six or seven. The effective limit of the number of young children is not taking more than two children under seven.

517. Captain *Scobell.*] What is the maximum and minimum of tonnage of any emigration ships that you have taken up?—The largest ship we have ever taken was the "Bourneuf," excluding the "Hercules."

518. That was 1,800 tons; what was the smallest?—I am not able to say offhand. I think we have never taken a ship much under 400 tons; we endeavour, if we can, to get a ship from 600 to 800 tons.

519. In the deaths you have spoken of, do you find the average per-centage of deaths greater in small vessels or in the ships of larger tonnage?—More in the larger ships, on account of the larger number.

520. What per cent.?—The per-centage in larger ships is greater on account of the larger number. Ships that carry more than 400 statute adults are less healthy than those that carry less. At the same time I ought to state, that these are statistics which we have obtained solely from the emigration of 1852, because up to 1852 we never had put on board more than 400 statute emigrants in any ship.

521. Your shipwrecks are only one in a given time of the vessels that the

Emigration Commissioners have sent out?—Since we have been a Board, and have been sending out ships, we have lost only two ships, and have never lost a single life by shipwreck.

522. In other emigration vessels you find the proportion of shipwrecks much larger?—The proportion is larger, but not large.

523. Still it it is larger than your own?—Yes.

524. Can you assign any reason, either as to space or as to the fittings of the vessels, or efficiency, or number of the crew, or any other reason why that difference should exist?—I should have a great difficulty in answering that question. We only send ships to Australia; we have nothing to do with emigration to the United States. I take it that the voyage across the Atlantic in the winter is a more dangerous voyage than the voyage to Australia. The American coast is a very dangerous coast; that is one reason, undoubtedly. We retain half the passage money, which would be liable to be forfeited if any carelessness could be proved on the part of the master of one of our vessels; that may be another reason that may cause greater care. I really should feel very great difficulty in stating any other cause which I think might affect it.

525. Are your vessels more efficiently found in numbers and in quality?—We have never had less than four men to the 100 tons. Private vessels sailing from Liverpool have been accustomed to have not more than three men to 100 tons. That may have something to do with it; but I do not think it would have much in an Australian voyage, when once they get clear of the land.

526. By the four men, or the three men you speak of, do you mean including the attendants on the passengers as well as the crew?—No, exclusive of all stewards and cooks.

527. And exclusive of the mates, the master, and surgeon?—Exclusive of the surgeon; it includes the mates, but not the master.

528. It includes the mates in the men who manage the sails, who belong to the manœuvring of the vessel?—Yes.

529. Do the Emigration Commissioners, in their vessels, make any examination of the crew more stringent than they do in any other vessels?—Our officer at Liverpool has been in the habit, as he informs me, when he has doubted whether a man was a seaman or not, in one of our vessels, to make him go aloft. It has not been customary to do this in private ships, because there is a very large number of them, and the great bulk being Americans, bring their crews here and take them out. They do not ship their crews in Liverpool as we do, therefore their men are evidently sailors.

530. Would it be a desirable thing by law to require the inspector, or the person who examines the crew, to see some evolutions performed, such as loosing sails and furling them, to see that the men were sailors, and not merely men with blue jackets on?—I scarcely know whether it would be possible to do that in such a port as Liverpool, where ships are cleared in the docks, and go to sea at once.

531. They always anchor in the river before they sail?—No.

532. Could they not loose their sails in the docks, and furl them again?—I should not like to give an opinion on such a subject, because I am not sufficiently acquainted with the facilities at Liverpool.

533. Are there any practical means of an officer, who examines a crew, ascertaining in some general way that they are quite efficient for the purpose which they embark for?—I suppose that no examination that can be made, except absolutely at sea, would show what men would be efficient in bad weather; it is only a question of bad weather about which there can be any doubt.

534. If a man were sent up the rigging, would it not be seen at once whether he was a sailor or a landsman?—Yes; I had in mind the case of the "Annie Jane;" in that case the crew were not efficient. The crew could not furl the mainsail, and the main yard was in consequence blown away, which crippled the ship very much. I think the head of the mainmast was also carried away. Those men were, however, sailors. There was no doubt of their being sailors, and they would have gone up the rigging.

535. They were Canadians?—Yes; but they got frightened. They had brought home a ship just before, called the "Sir Alan M'Nab," which we engaged to go to Australia; and, consequently, they were obliged to be shipped in some vessel going back to Canada, and they were shipped on board the "Annie Jane." I

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do not think any examination which could have been made would have shown whether those men were efficient or not.

536. They were fine weather sailors?—Yes, and when it came on to blow very hard, and they were ordered to go aloft to furl the mainsail, they pretended not to understand.

537. Taking the case of the "Tayleur," has it ever occurred to you that it might be desirable to prevent any vessel that had not performed a voyage of some sort, taking out emigrants?—I think it would be desirable, but that of course is a restriction which must be imposed by Act of Parliament.

538. *Chairman.*] With regard to the "Annie Jane," she had not got the ordinary proportion of seamen allowed to ships of her tonnage by your inspection?—Yes; she had three to the hundred.

539. If you look to the account you will see she is near 1,300 tons burthen, and three men to the 100 tons would make 39; whereas she went to sea with only 35, and when she put back she had only got 41; only six additional seamen, including the stewards, and those are not seamen. I am reading from Captain Beechey's Report. So that it appears that neither on the first time nor the second had she three men to the 100 tons; if she had had your proportion she ought to have had 52 seamen, independently of the stewards?—It has not been considered obligatory to have more than three men.

540. Captain *Scobell.*] Have you read the evidence as to the "Tayleur"?—Yes, I have.

541. She was stated to have had 22 A. B.'s, 13 ordinary seamen, and six boys, parties applicable to the working of the ship. Now taking away the captain, mate, surgeon, and 21 stewards and cooks, that left 41 for this vessel of about 2,000 tons?—I ought to say we have laid down no exact rule ourselves.

542. I am trying to get your practical opinion?—It is rather a question that should be answered by our emigration officer at Liverpool. The rule we lay down is, that they are to follow the practice of the port, provided they are satisfied that it is safe. If you wish to have information as to what is the exact practice, perhaps it would be better to examine the emigration officer from Liverpool, who would be better able to tell you exactly.

543. Supposing the practice varies in different ports to any great amount, or to a number worth speaking of, would it not be desirable to have a fixed rule to go by at all ports where they cross the same sea?—It would; and we have now got such a rule. When the report on the "Tayleur" was published, we applied to the Secretary of State for authority to prescribe four men for 100 tons as a general rule; the Secretary of State has authorised it, and instructions have been issued accordingly to the emigration officers.

544. Does that include boys or apprentices?—It would depend on the age of the boys. I presume boys of 17 or 18 it would include. We have not laid down any special rule about boys, leaving that to the emigration officer.

545. Mr. *Hankey.*] You were understood to say, that you had laid down a rule that ships should not go to sea with less than four men to 100 tons?—Now we have.

546. Does it specify what the mode of measuring the tonnage is to be?—It would be the old measurement. We have always taken the four men to the 100 tons old measurement in Government ships.

547. Captain *Scobell.*] You do not take the real *bonâ fide* capability of the vessel?—We have taken the old measurement.

548. *Chairman.*] You were speaking about the dietary scale; you say it is better in the Australian ships under your control, than in the general run of the Atlantic emigration ships?—Yes.

549. Can you state in what marked particular; section 32 of the Passenger Act gives the scale as fixed by that Act, without specifying exactly that it is to be for the Atlantic liners. You say that, in practice, the Parliamentary scale is applied only to the Atlantic passage?—It is not so laid down in the Act. The principle observed in drawing up the Passengers' Act, was to interfere as little as possible with the ordinary transactions of trade, and especially to require nothing which would increase the expense of passages beyond what was indispensable. At the time the Act was passed, there was a very large emigration going on from Ireland, and it was considered necessary for the sake of the Irish, that

that no unnecessary expense should be thrown upon them. The consequence was, that the dietary scale was calculated at the minimum which was supposed sufficient to keep in good health the poorest class of emigrants who left for the United States. The better class of emigrants could take provisions for themselves, and always did, and therefore it was not thought desirable to prescribe that such a dietary should be put on board as would be palatable and agreeable to them; but in the Australian emigration, the only persons of the labouring class who go out are those who are sent out by our ships, and the dietary scale in our ships is settled by special contract between ourselves and the shipowners, in the charter-party. It contains a good deal both of beef, pork, and preserved meat.

550. Just go through it; if you take the Parliamentary scale, it allows three quarts of water per day, according to the Act?—The Parliamentary scale is three quarts of water per day, and it amounts to 10 ½ lbs. of bread stuffs in the course of a week.

551. Mr. *Peel.*] State whether the allowance of three quarts of water per day includes the water required for cooking and tea?—It includes the water required for making tea, but an opinion has been given by the law officers of the Crown, that it does not include the water required for the cooking of provisions.

552. *Chairman.*] In your own scale, what is allowed?—In our scale, the allowance of water is the same, except that we give more to children.

553. With the same reservation?—With the same reservation, certainly. Perhaps I had better read out exactly the week's dietary scale.

PROVISIONS, STORES, &c., to be found by the OWNERS.

Rations, according to the following Scale, are to be issued during the voyage to each Male and Female Passenger of 14 years of age and upwards; Children between 10 and 14 are to receive two-thirds; and Children between two and ten years of age, one half of such rations:—

DIETARY SCALE.

| — | Biscuit. | Beef. | Pork. | Preserved Meat. | Flour. | Oatmeal. | Raisins. | Suet. | Peas. | Rice. | Preserved Potatoes. | Tea. | Coffee, weight when ground. | Sugar. | Treacle. | Butter. | Water. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *Pint.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *oz.* | *Quarts.* |
| Sunday - - | 8 | – | – | 8 | 6 | 3 | 2 | 1½ | – | – | 4 | ¼ | – | – | 2 | – | 3 |
| Monday - - | 8 | – | 6 | – | 6 | 3 | – | – | ¼ | – | – | – | ½ | 4 | – | 2 | 3 |
| Tuesday - - | 8 | – | – | 8 | 6 | 3 | 2 | 1½ | – | 4 | – | ¼ | – | – | 2 | – | 3 |
| Wednesday - | 8 | – | 6 | – | 6 | 3 | – | – | ¼ | – | – | – | ½ | 4 | – | – | 3 |
| Thursday - | 8 | – | – | 8 | 6 | 3 | 2 | 1½ | – | – | 4 | ¼ | – | – | 2 | – | 3 |
| Friday - - | 8 | – | 6 | – | 6 | 3 | – | – | ¼ | – | – | – | ½ | 4 | – | 2 | 3 |
| Saturday - | 8 | 6 | – | – | 6 | 3 | 2 | 1½ | – | 4 | – | ¼ | – | – | 2 | – | 3 |

Mixed Pickles - - - One gill
Mustard - - - - Half an ounce
} Weekly {
Salt - - - Two ounces.
Pepper - - - Half an ounce.

Children between four months and two years old are to be allowed 3 pints of water, and a quarter of a pint of milk daily; also 3 oz. of preserved soup, and one egg, every alternate day, and 12 oz. of biscuit, 4 oz. of oatmeal, 8 oz. of flour, 4 oz. of rice, and 10 oz. of sugar, weekly. To infants under four months old, the surgeon may issue such nutriment as he may, in any case, think necessary, with any quantity of water, not exceeding one quart, daily. He may also, if he thinks fit, issue three times a week, to children between two and seven years of age, 4 oz. of rice or 3 oz. of sago, and one egg, in lieu of salt meat.

554. There is no issue of cooked provisions;—Everything is issued cooked.

555. Mr. *Fagan.*] Have you a Government agent on board?—A surgeon superintendent.

556. *Chairman.*] And on board the American ships the provisions are not issued cooked?—Yes, they are all issued cooked now, under the Act of Parliament. The 33d section of the Act requires that all provisions shall be issued cooked, and that they shall be issued before two o'clock every day.

557. In American ships emigration passengers are allowed to bring their own provisions?—By the American law they are, but that does not exempt the ship from having on board the quantity of provisions necessary for our dietary scale.

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558. And that quantity is supposed to be sufficient whether they have provisions of their own or not?—Sufficient to support life and health.

559. Captain *Scobell.*] Is the meat weighed before it is cooked, or afterwards?—It is weighed before it is cooked.

560. *Chairman.*] You have stated that there was a greater amount of mortality of children on board the Australian vessels?—Yes.

561. And that there was a change as to the proportion of children allowed the last year?—Yes.

562. The proportion is now smaller?—Yes; the mortality took place when we accepted families with four children under 12; since we re-established our previous rule of not taking families with more than three children under ten, or two under seven, the mortality, as to children, has diminished to a small amount; and I believe that I might say that the mortality on board ship, if it were possible to obtain a comparison, would not be greater than the mortality of the same class on land.

563. Mr. *Peel.*] Is a better dietary scale than the Parliamentary one provided for unassisted emigrants on board vessels proceeding to Australia?—I believe on board all vessels proceeding to Australia, the dietary scale, I mean in private vessels, is much better than the Parliamentary scale.

564. Now, supposing that the captain of a vessel does not issue the provisions according to the scale for which the passengers have contracted, what is their remedy?—Their remedy would be an ordinary suit for breach of contract.

565. But in the case of the captain of an American vessel, or a vessel proceeding to America, not issuing provisions according to the Parliamentary scale, then you would be able to recover a penalty?—Then there would be the penalty under this Act, and I think that is one of the alterations that ought to be introduced into any future Act. The Act ought to give power to emigrants to recover by summary process, as this Act provides, everything that is contracted for in their contract ticket.

566. Mr. *Davison.*] You adopt the practice of retaining a portion of the passage-money; the half?—Yes, we do.

567. That would give abundant security to passengers in the case of any complaint arising, or neglect taking place on board ships, if it could be carried out generally?—It would; it gives ample security to the passengers on board our ships.

568. *Chairman.*] And you do not see any reason why it should not be tried with respect to American ships?—Simply, that I think it impossible.

569. Mr. *Peel.*] Which is the section of the Act which you propose to extend to the cases mentioned?—I would merely extend the 73d section; instead of all the penalties and sums of money by this Act made recoverable, I would make every undertaking included in the contract enforceable in the same way that penalties and sums of money are enforceable or recoverable in this Act, by summary process before two or more justices.

570. Mr. *Meagher.*] Do you think that if private passenger ships were subjected to the same regulations as Government ships, it would afford any greater security for life in case of wreck or sickness?—I do not quite understand how they could be subjected to the same regulations.

571. For instance, having a more efficient crew, having greater space for passengers, being confined to a certain class of ships, all these appear to be peculiar regulations of the Government vessels, not carried out with regard to private ships?—A stronger crew will now be carried out under the instructions which have been issued; the space is exactly the same on board Government ships as on board private ships. The supervision exercised on board Government ships is by the surgeon superintendent. I do not think it would be possible to put surgeon superintendents into American ships going to the United States, and to give them the authority that we give to ours, because our Act of Parliament cannot possibly have any effect on board the American ships at sea.

572. Mr. *Peel.*] Nor would you require the same precaution for health on a voyage in a high latitude?—It is so much shorter a voyage, that you do not require the same precaution.

573. Mr. *Meagher.*] The question did not apply to health only, but danger from shipwreck; danger from shipwreck is as great on the coast of America?—I am not aware that there are any peculiar precautions on board our ships against danger from shipwreck.

574. Is

574. Is there not a more efficient crew?—As I said before, the number of the crew will be made the same.

575. Are you not more particular with regard to the class of vessels?—Not at all; every passenger ship is obliged to undergo exactly the same survey before it leaves this country that our ships undergo.

576. Mr. *Peel.*] Is not the loss of life from shipwreck extremely small?—Extremely small. I do not think that these returns of shipwrecks give any reason to suppose that there has been loss of life in consequence of bad ships, or of the ships having been in an unseaworthy condition.

577. Mr. *Meagher.*] Have you ascertained the cause of the wrecks in those cases where wrecks have occurred?—I have already stated to the Committee that in almost all cases where wrecks occurred they were in consequence of the ships running on shore, where, of course, any ship in the world would go to pieces; for instance, the "Sir Fowell Buxton" ran on shore on the coast of Brazil.

578. What is the cause of running on shore; is it carelessness or incompetency?—If I were asked to give a general opinion why ships are wrecked, I should say that the most general reason is, that the masters do not heave the lead. I have no doubt at all that of the ships that are wrecked, the greater part would have been saved if the master had kept the lead going when near land.

579. Captain *Scobell.*] Are the masters whom you employ in your department passed masters?—They have always a certificate of competency or service.

580. Do you take any more stringent precautions with respect to your masters, in the Emigration Commissioners' vessels, than are taken by the private vessels?—In our tenders we require it to be stated whether the masters hold certificates of competency or service. I believe now, by law, no man can command a British merchant ship who has not got a certificate either of competency or service, and who has not passed an examination before the Marine Board.

581. By what law?—By the Merchant Seamen's Act; but you cannot of course enforce that against foreign masters; and of the ships that carry emigrants from this country to America, the great bulk are foreign ships. In the case of British vessels, no man can command a British vessel who has not got a certificate.

582. Had the master of the "Annie Jane" a certificate?—Yes.

583. And the "Tayleur?"—The master of the "Tayleur" had got a first-class certificate; an extra certificate.

584. Mr. *Meagher.*] Do you find that the greater number of wrecks occur during any particular period of the year?—I have not got any return that would show that, but I should infer *à priori* that they were more likely to occur in the winter, when there are longer nights and more stormy weather.

585. *Chairman.*] Coming back to the point of provisions; with regard to water, is not water very much complained of?—Yes.

586. As to examining water casks, in your regulations you recommend that they should be ranged on the wharf, and examined, but sometimes that is not practicable?—Yes.

587. Will you state the circumstances why that is not practicable; and whether those circumstances generally prevail, or whether they are exceptional?—I believe that generally they can be ranged on the wharf and examined; but of course, where a port is restricted, it may be inconvenient to have 50 or 60 casks ranged on the wharf alongside the ships, in order to be filled, and emptied and filled again.

588. The Act provides that the staves shall be of hard wood?—Yes.

589. But says nothing about the head?—No.

590. If the head is of soft wood, is there not danger of leakage?—Yes; but in the regulation which is drawn up, we followed the experience of officers many years in the service, and who had to inspect a great many of these water casks; we took what they recommended; at the same time, I have no hesitation in saying that water casks are very bad things, and it would be an advantage if it were possible to compel every vessel to use tanks; but I do not think that could be enforced by Act of Parliament.

591. Are there any means of enforcing that the casks should be perfectly sound; if the casks are stowed down below, it is very difficult for the officer to examine them?—The officer sees the casks before they are put on board.

592. In all cases?—In all cases that I am aware of; in every one of our ports

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I have seen the casks on the quay before they are put on board when ships have been under examination. There is a new invention, which I hope will come into use, of iron casks, which will be very much better than the wooden casks.

593. Captain *Scobell.*] Would there be any hardship in making vessels have a certain proportion of water in the tanks, instead of casks, so that the tanks might be used last?—The objection to tanks is, that they occupy a considerable space, which is not available for cargo when the ship is not carrying passengers. With casks, as soon as the ship gets out to her destination, they shake the casks, put away the staves, and they occupy very little room, whereas the tank is a permanent fixture. But if this new description of iron cask comes into operation, it will be as handy and managable as a wooden cask. I have seen a model of it, and it has down the front of it a series of nuts which can be unscrewed, and then the casks can be put away nested one within the other.

594. *Chairman.*] Has it been tried at all?—I am not aware; I have only seen the model; the patent is just taken out for it. I have not the slightest doubt myself that it will answer.

595. You stated that you could give the returns from the British North American colonies with regard to the prosecutions under their local Acts, so that the Committee might know what those Acts were, and what the cases were?—These are the prosecutions under the Passengers' Act.

596. The Committee understood you to say there were local Acts also?—Yes, there are local Acts, but those local Acts apply more to the imposition of a tax on emigrants, and matters relating to them after they get into the colony. We have no return of prosecutions under those Acts; they would be conducted by the local Government, and would not be reported to us. I have extracted from the Reports of the emigration officer at Quebec so much as relates to the enforcement of the Passengers' Act. In his Report, dated the 20th December 1848, relating to the emigration of that year, he says, "I have found it necessary to institute proceedings but in one case, that of the 'St. John's,' Oliver, master, from Galway, for violation of the provisions of the Imperial Passenger Act. This vessel cleared from the port of Galway on the 1st April, under the old Act, but did not leave that port until the 6th. She had sailed according to her passenger list with 118 steerage and 12 cabin passengers, equal to 156 souls. On arrival she was reported to have on board equal to 130 adults, whereas under the Act 11 Vict., c. 6, she could legally carry only 84½, as she had not a medical practitioner on board, the excess being 64½. As this vessel arrived in a very sickly state, having lost 13 by death on the passage, and of 17 cases which were admitted to hospital on arrival at quarantine, 13 had died, I submitted the case to Mr. Duval, Queen's Counsel, and a prosecution was instituted for the recovery of the penalty. The result was, however, unfavourable, on the grounds that although Captain Oliver was guilty of the charge, yet as the law was only promulgated in London to take effect on the 28th of March, and as his vessel cleared from Galway on the 1st of April, sufficient time had not elapsed, and he could not have been aware of its existence. There were several other cases in which vessels had a few passengers over their legal complement; but as this excess was not specified upon their list of clearance at the port of departure, but arose from passengers having been stowed away, and only discovered after the vessel had put to sea,, and as by the 4th clause of the Provincial Act the master became liable to a duty of 40 *s.* each on all such passengers not certified, I was dissuaded from prosecuting for a further penalty. The provisions of the Imperial Passenger Act appear very generally to have been productive of benefit; and the circumstance of few complaints having been made with respect to their accommodation and treatment, may be taken as indicating an increased degree of protection to the emigrants from all imposition or oppression." That was under the Act of 1847. The following is still under the same Act. It is an extract from the Quebec agent's Report, dated 28th December 1849. "A private subscription was entered into for the relief of the emigrants rescued from the wreck of the 'Hannah;' and the amount of this, with the head-money returned to Messrs. Hyde and M'Blain, the agents for the charterer of the ship, altogether 80*l.* 17*s.* 6*d.*, I divided among the survivors, in addition to several donations of clothing, which proved of essential service to them. I have found it necessary to take proceedings against the masters of several passenger vessels for non-fulfilment of contract or infringement of the Passengers' Act. The passengers by the following vessels from Liverpool; viz., 'Helen,' Jackson, master; 'City of Lincoln,' Rigby, master; 'Kalmia,'

'Kalmia,' Gilpin, master; 'Argo,' Smith, master; 'Larch,' Wilson, master; 'Aunt Mary,' Baxter, master; 'Forfarshire,' Platt, master, complained that they were induced to take passage in these vessels by a promise made on the part of the ship-broker at Liverpool, that they would receive, throughout the voyage, the New York scale of ships' allowance, which includes one pound of salted pork per week; and they produced shipping-tickets expressing these terms of contract. The ships, it was admitted, had confined the issue of provisions to the scale established by the Imperial Passenger Act, in which this allowance of pork does not occur. Upon ascertaining these facts, I caused the institution of legal proceedings by the Crown law officer, and in the two last-mentioned instances judgment was pronounced against the defendants on the complaint for non-fulfilment of contract in respect to scale of provisions, as well as for a delay after the published period of sailing. In all the other cases the masters of the vessels readily compromised the matter by refunding the full value of the allowance not supplied, for which they reserved a claim on the shipping broker. Proceedings were instituted for various infringements of the Passenger Act against the following vessels; viz., 'Richard Wilson,' from Cork; 'Josepha,' from Westport; 'Sleepless,' from Limerick; 'Friendship,' from Dublin; 'Prompt,' from Limerick; in all of which cases, however, satisfactory compensation was made to the complainants, so as to cause the discontinuance of the actions. The emigration officer at Liverpool having reported that the ship 'Wave' had cleared from his port with passengers, without having complied with the regulations of the Act, I entered proceedings against the master on arrival here. It was found that she had a number equal to 36 adult passengers on board, while, her tonnage being 638, she could carry no more than 25½, without coming under the regulations of the Act. Proceedings were accordingly taken, and the captain having confessed judgment, he was fined 5*l.*, with costs. It is proper to add, that it appeared that the passengers had been fully supplied during the passage, according to law. The only other complaint made during this season was by the passengers of the 'Circassian,' from Greenock. These passengers had agreed with the charterers, Messrs. Reid & Murray, after having paid their passage, that for an additional sum of 10 *s.* sterling, the payment of which was endorsed on their passenger tickets, they should be furnished with provisions according to a specified scale. The vessel had a long passage, having sailed from Greenock on the 14th of June, and reached Quebec on the 29th of August, making 77 days, of which period she was 17 days in quarantine. It would appear that provisions had been put on board only sufficient for six weeks, and at the expiration of that time, the passengers were placed on short allowance, and had to purchase from the master all the articles they required beyond the pound of bread-stuff required by law to be supplied by the vessel. On their arrival here, a claim for the arrears of provisions was made; but I found that an action for its recovery could not be sustained against the master; the passengers, therefore, assigned over their claim before a notary public, with the view to proceedings being taken in Glasgow against Messrs. Reid & Murray as the parties liable for non-fulfilment of contract."

597. Have you any account whether proceedings were taken?—They were so taken, and the money was recovered. In the Report of 30th December 1850, the emigration agent says, "I have found it unnecessary to adopt any legal proceedings for violation of the Passenger Act during the past season, no case of an aggravated nature having come under my notice. Complaints were made by the passengers of three vessels, the 'Empire,' from New Ross, the 'Bon Accord,' from Limerick, and the 'Sylvanus,' from Westport, with claims for compensation for detention after the day fixed for sailing, as specified in the contract ticket. On representing the case to the masters, and informing them that legal proceedings would be taken, they at once paid all the claims which were supported by the proof of the contract tickets: the sum refunded from the three vessels amounted to 40 *l.* 3 *s.* 9 *d.* sterling. The amended Imperial Passenger Act has been in operation throughout the year, and has appeared to work well, and give very general satisfaction. This is fully borne out in the absence of all complaints worthy of particular notice. Every desire is evinced by the masters engaged in the passenger traffic to give the fullest effect to the provisions of this law; and from the knowledge that not only every direct evasion will be inquired into, and the penalties enforced against them, but that any negligence in overlooking the performance of required duties by others will equally involve them, they have been led to take greater

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care to assure themselves that the supplies furnished by passenger brokers were in strict accordance with the Act."

598. Is that now or under the former Act?—In this he is alluding to the Act passed in 1848.

599. Go to some case to show the working of the last Act?—The last Act only came into operation on the 1st of October 1852, therefore there is but one report.

600. If there are any striking facts in the next of course you will state them?—This is the last Report, which has just been received, dated 31st December 1853: "The Passenger Act has been found to afford all necessary protection to the emigrant. Some few complaints were made during the past season; the only case in which legal proceedings were instituted was against the master of the ship 'Blanche,' from Liverpool, which resulted in conviction. In the other cases compensation was made to the satisfaction of the parties complaining."

601. He does not state what the nature of the complaints was?—No; the general complaints were non-issue of provisions according to contract; in a great many of those cases the contract ticket contracts to give a better dietary than the dietary in the Act. There are some reports from Mr. Perley, the emigration officer in New Brunswick. Perhaps if I read the last it will be sufficient; it is dated 9th January 1854. "During the past season I have had no occasion to institute proceedings under the Passengers' Act. The new Act which came into force on the 1st October 1852, has worked well. Where deficiencies in the supply of provisions have occurred, either from accident or misapprehension, the deficiency has been made good on my representation. In one case (that of the packet ship 'Middleton,') the passengers, 291 in all, were short of some articles during the latter part of the voyage, owing to sea damage. The owners requested me to name the amount to be paid the passengers as compensation. After hearing their statement, I fixed upon a sum which was perfectly satisfactory to all parties, and the owners instantly paid each passenger his amount in my presence. The firmness with which the Passengers' Act was enforced at this port in former years in every case of wilful violation, has had an excellent effect; in every prosecution which I have instituted since my appointment to office in 1843, a conviction has been obtained, and sometimes very large penalties. In consequence of this, and the marked improvements in the late Passengers' Act, prosecutions are now rarely necessary, full compensation being generally obtained by my interference or request."

602. Have you any other returns connected with your evidence of last day from North America, statistics or otherwise, which you wish to put in?—No, I have no further returns.

603. Mr. *Meagher.*] With regard to the statistics of the deaths of children, is the average struck on the whole number of passengers, or on the number of children?—The average I read was struck on the whole number of passengers.

604. What is the space allowed for children of four years of age?—They are allowed half the space of an adult, which would be 7½ feet.

605. Is that what you require in your own ships?—It is.

606. Have you reason to think that that is sufficient?—I think the fact of the mortality being very small where the number of children is restricted, is sufficient evidence that it is enough. The deaths of children are generally those about two or three years old; in fact, it is from dentition and the infantile complaints that then generally come on. Actual infants are not unhealthy on board ship; as long as the mother can nurse them they do not seem to suffer much; but it is after they cease to be nursed, and before they get to be four years old.

607. Mr. *Davison.*] Would your recommendation go to the extent that in your judgment no passenger ship should be allowed to sail with a crew, not being provided with four men to every hundred tons in all cases?—That is the instruction.

608. As a general rule for all passenger ships?—An instruction to that effect has been issued to the emigration officers throughout the United Kingdom.

609. Mr. *Meagher.*] Do you confine the emigration in your ships to any particular season of the year?—No, we do not.

610. What ports do you generally send from?—We dispatch ships from Southampton (as the port of London, from Plymouth), and from Birkenhead.

611. Mr. *Hankey.*] Why have you deviated in your office from the scale of dietary

dietary which has been laid down in this Passengers' Act?—Because that scale is supposed to be the minimum in the way of health that the lowest class of emigrants could be sustained on in the short voyage between England and America.

612. You have not considered it good enough for the purpose for which the general class of your emigrants are intended?—We do not consider it good enough for the class of people we send out to Australia.

613. Would it not be desirable that this should be altered?—I do not think it would; I do not think that it would be desirable to do more by law than is absolutely necessary. I do not think it is absolutely necessary to give a better dietary than that for that special class of people.

614. Are there any other provisions of importance which you have considered it necessary to make in your arrangements, which are not made under the General Passengers' Act?—The whole system of our emigration is different from that of the Passengers' Act. For instance, all our people are selected; they are specially selected by an agent employed for the purpose.

615. Mr. *Peel.*] And there is a limit as to the age and number of the children?—Yes.

616. Captain *Scobell.*] And the state of health?—And the state of health; we do not take anybody who appears to be sickly, and not likely to work hard in the colony. As far as ordinary private vessels are concerned, the law only gives us power to prevent anybody going on board in such a state of health as to be dangerous to those he goes with.

617. Mr. *Hankey.*] You were understood to state that this Act of Parliament applied only to passengers going to North America?—No, it applies to all passengers. We cannot do anything in our emigration that is contrary to that Act of Parliament; but we can do many things not in that Act of Parliament.

618. Are there any suggestions that you have found it desirable to adopt which might be introduced into this Passengers' Act with advantage to the general object of securing greater care to the passengers, and greater regard to health and life?—I suggested the other day that the limit at which vessels are allowed to go without a surgeon should be reduced, and all vessels carrying 300 should take a surgeon. I should be disposed certainly, if the Act were now to be revised, to increase the space, and to enact that no vessel should give less than the 14 feet which is required in the American ships, and which is also required in ships going to British North America, which do not carry surgeons. At the same time, I am not prepared to say that that is absolutely indispensable; and if the same object were now to be kept in view which was always principally kept in view in former years, viz., that nothing should be done that would increase the expense of emigration except upon the clearest ground of absolute necessity, I should not be prepared to say that it was necessary to increase the space. There is no doubt that, if you give greater space, you give greater means of decency and cleanliness, and for that reason I should recommend an increase of the space.

619. Mr. *Peel.*] You also recommended vesting a discretionary power, under the Act, in the Queen in Council in certain respects?—Yes; I think it desirable that there should be a special power of limiting the number of passengers, especially in the large ships, when pestilence or any great epidemic or sickness are prevailing in this country.

620. That suggestion was made partly with a view to protect your own officers?—Certainly; we should have no power of interfering with the numbers carried beyond what the Act gives us.

621. Mr. *Meagher.*] And with regard to the cargo?—With regard to the cargo, it would be desirable to have a supervision over the stowage.

622. Are those all the suggestions that you have to make for the amendment of the existing law?—If the existing law were to be amended, I think it would be desirable to insert a provision to the following effect. I am not prepared to say in what exact terms, or exactly to define the effect of it, but to prevent any master or officer who has been in charge of a ship at the time of its wreck, being put in charge of a passenger ship without having undergone such an examination as might be decided upon by Government, to show that it was not by his fault the ship was lost. There should be some sort of inquiry, so as to exclude men who have been proved or who have proved themselves to be guilty of carelessness in the management of a passenger ship.

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623. Mr. *Peel.*] There is a considerable convenience in having the whole contained in one Consolidated Act?—Yes; but there would be great inconvenience in passing it.

624. *Chairman.*] You are aware of the case of the "Conway," an emigrant ship, at present in the Clyde, which put back with the cholera on board?—I have taken down the facts in order to be quite accurate. I will state them *vivâ voce.* The "Conway" is a vessel of 1,195 tons old measurement, and 1,148 new measurement (she is one of the very few ships in which the old measurement is larger than the new), with an average height between decks of eight feet. She was taken up by us, and sailed from Liverpool on Thursday, the 19th of January, the same day with the "Tayleur," having on board 445 souls, equal to 382 statute adults. On Saturday, the 28th January, that is, nine days after she sailed, we received a telegraphic message from the emigration officer at Glasgow, to the effect that a passenger-ship (not named) had entered the Clyde, with cholera on board, having lost two passengers at sea. In the course of the day, we learnt from other sources that this vessel was the "Conway." It subsequently appeared that cholera had broken out on Sunday, three and a half days after she had sailed, and that the vessel had likewise met with very bad weather, by which she lost spars, which was an additional reason for putting back. We immediately instructed the emigration officer at Glasgow to make the necessary arrangements for landing the whole of the people, for separating the sick from the healthy, and fumigating the ship. On Tuesday, the 31st January, we telegraphed to one of our officers at Liverpool to proceed at once to Greenock to assist the emigration officer at Glasgow, which he did by that night's train. We also, in consequence of some difficulty in obtaining the co-operation of the local authorities, applied to the Home Office, who wrote down by that night's post, and secured to us as much co-operation and assistance as the town authorities could give us. It was impossible at that time to communicate with the ship except by means of steamers, as it was blowing very hard, and no boats could go off. The steamers made a considerable difficulty of giving their services; they got frightened about the cholera, and demanded a very exorbitant rate. However, after some time, in consequence of the instructions from the Home Office and the representations from our officer, we did manage to get assistance, and had the "Conway" towed up to the tail of the bank, and all our passengers were landed on the 1st of February.

625. There was a good deal of difficulty made at first to allow them on shore on the part of the authorities?—A considerable difficulty by the local authorities, who got very much frightened about it; but in consequence of the instructions from the Home Office, and the very strong representations from our officers, that was got over. We immediately had the ship fumigated, we took out and destroyed all the bedding that had been used, and some complaints having reached us of the surgeon who was on board (who however had been five voyages for us before, and always with great credit), we sent down a new surgeon, a gentleman who passed a very good examination here in London, and was reported to us as a superior person. On the 11th of February we sent down an additional gentleman to be assistant surgeon. In the meantime the emigrants had been attended by Dr. Fraser, the medical inspector of emigrants at Glasgow, and also by two other surgeons whom we appointed specially for the purpose, and they also had been occasionally visited by Dr. Auld, the Board of Health's medical officer. On the 14th and 15th of February, the disease seemed to have disappeared, and the emigrants were re-embarked. Then a fresh difficulty arose as to the sailing of the vessel, in consequence of a mutiny of the crew. The result was that the owners were obliged to provide a new crew, and before they got a new crew the wind changed, and that prevented her sailing. In the meantime, there was some complaint of the surgeon whom we had sent down to replace the first surgeon. The complaint was, that he was wanting in energy and activity to manage a large body of emigrants, and we accordingly sent down a third surgeon, a gentleman who had been in our service before, and who had discharged his duty with great credit to himself. We had previously received a recommendation from the medical men to send the ship to sea as fast as possible, or as soon as the people could be got on board. They said that the inaction and the depressing circumstances in which they were placed in the river was very injurious to health, and more likely to cause sickness than if they got to sea. Accordingly, on the 8th of March her sailing orders were given to her.

She

She could not, however, sail until Sunday the 12th of March. That was yesterday week, and after she got about ten miles she was obliged to put back again into Gourock Bay. Since she has been there we have received several reports from the surgeon. On the 14th he writes, "As to the health of the passengers, I am happy to say there is a great improvement. There have been no deaths since I joined the ship, nor is there at present any infectious or contagious disease on board. The number of those in hospital is now reduced to five cases of ordinary disease, none of a dangerous character. There is as yet a strong tendency to diarrhœa, but yielding soon to active treatment. The general health and appearance of the passengers is improving, although it falls short of what I should wish it to be. The ship is in all respects now prepared, and will proceed to sea on the first opportunity." On the 17th, that is last Friday, he writes: "The ship 'Conway' is still here, windbound; the passengers are improving in health. There are five cases in hospital this day; no infectious disease; cholera has not returned; diarrhœa is very prevalent, but is soon stopped by early and active treatment." We have a letter dated the 18th, in which he says: "The wind having changed this day, we have at length got to sea." He writes off Combre Head, "I have nothing further to add to my report of yesterday. The sick are improving; diarrhœa is still continuing, but is always stopped in its first stage before it can reach cholera." I think I may be allowed, before I finish the statement about the "Conway," to read what the emigration officer at Glasgow says about the ship. Captain Keele is not the officer who fitted the ship, therefore his opinion is an unbiassed one. He says, "I am unable to account for this epidemic breaking out on board, for I have never seen a vessel so well calculated to carry a large number of emigrants on a long voyage. The height between decks, the light, and ventilation is very far superior to those of ships sailing from this port." The whole number of deaths on board the "Conway" was 24.

626. Mr. *Meagher.*] She was bound to Australia?—She has sailed now for Australia, and was a Government vessel.

627. *Chairman.*] Did Captain Keele make more than one report to you upon it?—He has made a number of reports on the subject of the "Conway" generally.

628. He approved of the arrangements; did he say anything about the medical arrangements?—He reported as to the medical arrangements, that the first surgeon had not given satisfaction to the emigrants, in consequence of which we removed him. He reported afterwards that the surgeon whom we had substituted for him had not shown the necessary energy and activity, and we removed him in consequence. But it is fair to that gentleman to add, although I think him not sufficiently active and energetic for such a charge, that he was extremely kind to the emigrants; so much so, that I believe the emigrants presented some sort of a letter, or made some demonstration of their satisfaction at the kind manner in which he had treated them.

629. Did your medical superintendent examine the surgeon who went out at first?—The surgeon who went out at first had been five voyages for us to Australia.

630. But he had not been been specially examined for the last?—No, he had been five voyages, and always brought home a very high character from the Australian colonies.

631. Who supplies the medicines?—The medicines are all supplied from Apothecaries Hall.

632. Was there any complaint made as to their defectiveness?—None.

633. Mr. *Meagher.*] What class of emigrants were they generally?—There was a small number of Scotch; the others principally were Irish.

634. The labouring class?—Yes.

635. *Chairman.*] Have you any information as to the nature of the complaints that were made by the passengers of the medical men, and the arrangements generally?—I am not aware that there was any complaints as to the medical arrangements. The complaint as to the first medical man was that he had neglected them.

636. Was any specific case stated?—I do not recollect any specific cases; I think the general complaint was that he had not shown sufficient attention when the sickness first broke out.

637. Mr. *Fagan.*] Was it Asiatic cholera?—Yes.

 638. *Chairman.*]

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638. *Chairman.*] Was any other disease reported as being on board besides?—No disease but cholera and choleraic disease.

639. Mr. *Fagan.*] Was it distinct Asiatic cholera?—I believe distinct Asiatic cholera.

640. Mr. *Meagher.*] Were those passengers detained at Liverpool any time before they embarked?—The general body of emigrants had been three days in depôt in Birkenhead; none of them had been in Liverpool. Some of them had been as much as eight days in the depôt.

641. *Chairman.*] Did Captain Keele report, or did you receive any report, against the officers of the ship?—There was a complaint against the master who sailed in the ship from Liverpool, in consequence of which he was removed, and another substituted.

642. What was the nature of the complaint?—I do not recollect the exact nature of the complaint. The complaint came to us in the first instance merely by a telegraphic message, and the owner immediately on its being communicated to him took a new master with him to Greenock, and the first master was at once discharged from the ship. After that I have no recollection that any statement was made as to any special complaint against the first master.

643. You have spoken about a medical superintendent; is there such an officer at each port?—There is a medical superintendent at every port, whose duty it is to inspect emigrants before the ships sail; to see that they have no contagious or infectious disease about them, and also to inspect the medicine chests of the ships.

644. Mr. *Hankey.*] Does that apply to all emigrant ships?—Yes.

645. *Chairman.*] Does he muster the passengers to examine them?—He musters all the passengers.

646. To whom does he report, or can the naval emigration officer clear the ship without a report from the medical officer?—The emigration officer and the medical inspector muster the passengers together. The emigration officer cannot clear the ship without the certificate from the medical inspector, except in the special case which is contemplated by this Act of its not being possible to get a medical inspector. There is a proviso added to the 41st clause, "That in case the emigration officer on any particular occasion shall be unable to obtain the attendance of such medical practitioner, it shall be lawful for the master of any such ship to clear out and proceed to sea, on receiving from the said emigration officer written permission for the purpose."

647. Has your emigration officer no power, in case he cannot procure the attendance of a Government medical officer, to call in other medical attendance?—Yes, he has. Properly speaking, there is no Government medical inspector, because the Act gives the selection of the medical inspector to the emigration officer; he may select any one he chooses. In point of fact, the same person is always employed by the emigration officer when he can obtain his services, and hence he obtains the character of a Government inspector; but, in case of his absence, it would not only be competent to the emigration officer, but his duty, to call in some other person.

648. Then I do not quite understand the reservation that you made just now, when you said, "except in certain cases"?—There is one case provided for in the Passengers Act. It is to provide for the extreme case that might happen at some small port, of a vessel being about to sail, with passengers enough to bring her under the Passengers Act, and it not being practicable to find a medical practitioner on the spot by whom the passengers could be inspected. It is a thing that could not occur at any of the ports at which there are emigration officers, because they are always at large ports; but it might occur at some of the small ports, where the duty is done by a Custom-house officer and not by an emigration officer.

649. Is it your opinion that that reservation has not tended at all to induce any laxity in the practice of getting medical advice, when medical advice could be had?—I have never heard of a case in which it has been brought into operation; it is merely to guard against a very extreme case.

650. Mr. *Fagan.*] How many Government officers have you?—We have officers at 13 ports.

651. Including the Irish ports?—In the United Kingdom; including Irish ports.

652. Mr. *Peel.*] They are enumerated in the Parliamentary estimate for your department?—They are.

653. Mr. *Fagan.*] How many depôts have you for emigrants?—We have depôts at Southampton, and in London, and at Plymouth, and at Birkenhead.

654. Have you any in Ireland?—None.

655. Is it contemplated by the Commissioners to have depôts in that country?—As soon as the telegraph was completed between England and Ireland, it became a question whether it was not possible to dispatch ships carrying Irish emigrants from Ireland. We have been making inquiries whether we could not get a depôt at Cork, temporarily, to try the experiment. It is a matter of course that must depend upon the relative expense of dispatching emigrants from Ireland and from England; and if we find it is not dearer, and certainly if we find it is cheaper, to send ships with Irish emigrants from Cork, instead of from Liverpool, we shall do so. We advertised, ten days ago, for a vessel from Cork, and one was tendered to us the last tender day, which was the day I was here before the Committee. In consequence of not at that time having received answers to our inquiries about a depôt, we have not taken her up.

656. Have you applied to the Government for the old Lunatic Asylum in Cork?—We have.

657. Have you got any reply?—We applied to the Poor Law Commissioners in Ireland, who stated they would communicate with the authorities at Cork, and give us an answer, but they have not yet done so.

658. Captain *Scobell.*] The probability is, that it is much cheaper with regard to Cork; it will save their coming to England, and the vessel would make a shorter voyage and a safer one?—That does not follow; ships are got cheapest at the port where there is a great trade, and it is cheaper for them generally to sail away direct from that port, than to call at another port; they would probably charge something additional for calling at Cork, although Cork lies to a great extent in the route of vessels sailing from Liverpool to Australia.

659. *Chairman.*] That additional sum would scarcely amount to more than the present charge for the Channel passage?—I am not prepared to say that it would, nor can I pronounce an opinion without trying the experiment; we should try the experiment as fairly as we can.

660. Mr. *Meagher.*] You have heard of the sufferings of the emigrants on the cross passage?—I know that generally the emigrants suffer very much, but we make a special contract for our emigrants that they should be carried under cover.

661. You are aware that there is a considerable anxiety in Ireland to save emigrants from these sufferings on this cross passage?—That must apply more to the general emigration than ours, because the whole Irish emigration under our Board in the course of the year would not amount to more than 7,000 or 8,000 people.

662. *Chairman.*] As an additional element for your consideration, in reference to any regulations on your part, so far as you can cause vessels to call at Irish ports, are you aware of this fact, that at Waterford, for instance, the emigrants are advised of the sailing of a steamer on a certain day to go to Liverpool, and that when they arrive in Waterford, the agent of the steamboat company puts off the day of sailing for a day or two days, and the emigrants are then put to expense at Waterford; and this further consequence results, that when they do at length get to Liverpool, the ship in which their passage was taken has sailed. Has that circumstance come under your knowledge?—No, it has not; I have no doubt that the best thing for emigrants is to sail from the ports nearest the place of their residence; but the tendency of emigration for the last three years seems to concentrate all at Liverpool. The emigration from Irish ports is falling off very much, and has fallen off very largely indeed in the last seven or eight years, and the emigration from Liverpool is increasing.

663. Mr. *Fagan.*] If you have got any reports from the emigration officer at Cork on this subject, have you any objection to produce them to the Committee?—The only report we have from the emigration officer at Cork is in answer to a confidential letter that we wrote to him on the subject of getting a depôt.

664. Mr. *Meagher.*] Have you any returns from Australia like those from Canada and New Brunswick with regard to the enforcement of penalties?—The private emigration to Australia has only commenced within the last two years, and it generally consists of a superior class of people. I do not think that many

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instances have happened in which it has been found necessary to put in force the Passengers' Act, but we have not any official reports similar to those that we receive from Canada.

665. Do you not think it would be desirable to have them?—I think it would be a good thing to have them.

666. Is it not in the power of your office to procure them?—No, only by an instruction from the Secretary of State.

667. Now, has it come to your knowledge in any way with regard to private ships going to Australia carrying passengers, that there is an unlimited sale of spirits on board, greatly to the detriment of the morals and the health of the passengers?—I have heard of cases of that kind. There was the case which I mentioned to the Committee the last day I was before them, of the ship "Asia" in which the master was convicted of upwards of 350 offences.

668. Mr. *Peel.*] Does not the emigration agent in the several Australian Colonies make an annual report?—He makes an annual report to the Government there, but it does not enter into details of individual ships to the same extent as the report from Canada.

669. Is not a report made on every vessel arriving?—Every Government vessel, but not on the private vessels. But to return to the previous question: the sale of spirits is strictly prohibited by the Passengers Act, and anybody that would prosecute on the arrival of a vessel would recover the penalties, no doubt.

670. Captain *Scobell.*] Do the Emigration Commissioners make any public report that comes before Parliament?—We report every year.

671. Does that enter into any of the particulars that we are speaking of; any of the complaints?—It scarcely goes into individual cases; the object of the report is, to give such general information as may be useful or necessary; but unless a very striking case, it would not be noticed in the report.

672. Sir *T. Herbert.*] Do you happen to know whether all the vessels are supplied with chronometers?—I believe all passenger vessels are supplied with chronometers, but I should not like to answer that question quite confidently.

673. And with a life-boat; they are all supplied with life-boats; by the Act one boat is to be a life-boat?—In order to assist our officers, as there is no legal definition of a life-boat, we have given a description of a life-boat in the instructions to our officers, which we think will meet the requirements of the Act.

674. Captain *Scobell.*] Is there any order, or is it desirable to enforce the rule, that nothing should be put in the boats after they are on board; that there should be no stowing away of live stock or goods?—There is a general instruction to our officers to see that the boats are all clear when the vessel sails. I hardly know how such an order can be enforced.

675. Is there a penalty for doing it?—The Act prescribes that the boats should be properly fitted and kept clear for use; the penalty is 50 *l.*

676. Is that penalty recoverable at the end of the voyage?—Yes.

677. Then any passenger might inform if there were a breach of that regulation?—Yes.

678. Mr. *Fagan.*] Are you aware whether there is any difference in the passage-money where the space allowed for each passenger is 14 feet, and where the space allowed is 12?—Twelve feet is only in vessels going to British North America; generally they have been from 5 *s.* to 10 *s.* a-head cheaper than vessels going to the United States.

679. Do you think that would be the difference in the passage-money, supposing the Legislature was to increase the allowance to 14 feet?—I think it would; that is, in vessels going to British North America. It would assimilate the price of passage to Quebec and New York.

680. Sir *T. Herbert.*] Have you seen Parrott's tubular life raft?—Yes, I have; it stows in a very small space and can be launched very easily.

681. Mr. *Meagher.*]—With regard to the official working of the present law, you recommended that some arrangement should be entered into with the American Government to enforce the penalties?—I think the only way of getting proper protection to passengers on the voyage from this country to the United States, especially in American ships, is to get the United States Government

ment to pass an Act somewhat similar to our own and to appoint special officers to inquire when vessels arrive whether that Act has been observed on the voyage.

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Dr. *William O'Doherty*, called in; and Examined.

*Dr. W. O'Doherty.*

682. *Chairman.*] YOU are a medical man?—Yes.

683. Duly qualified of course?—Yes.

684. You have been several voyages?—Nine or ten voyages. I first sailed in the "Ashburton" from Liverpool to New York, about four years ago.

685. Do you recollect the tonnage?—That was not my province.

686. How many passengers?—We had about 500.

687. One deck or two decks?—One deck.

688. How many deaths?—No deaths, going or coming.

689. Mr. *Peel.*] Were there any Irish emigrants?—A good many, and there were a good many English farmers. There was a good number from the neighbourhood of Bristol and several other parts of England.

690. *Chairman.*] The next ship was in March 1853?—That was the next to the United States. I sailed three times in the meantime to Quebec.

691. State, consecutively, the voyages in their order of date; the "Ashburton" was four years ago?—My immediate voyage after that was to Quebec.

692. From where?—From Liverpool, in the same year, 1849.

693. Mr. *Peel.*] In what vessel?—I sailed in the "Abbey Lands."

694. Mr. *Fagan.*] How many passengers?—Three hundred or four hundred.

695. *Chairman.*] How many deaths?—We had 13 or 14 children, except one who had typhus fever.

696. Mr. *Peel.*] Was there any general sickness on board?—We had 70 cases of measles.

697. Were you the only medical man on board?—I was. They all recovered from the measles, but then dysentery and diarrhœa came on, and that was the cause of the death of those children.

698. Mr. *Meagher.*] What time of the year was it?—In the summer.

699. *Chairman.*] When was the next voyage?—My next voyage was again to New York the same year.

700. Mr. *Peel.*] From where?—From Liverpool; I always sailed from Liverpool.

701. *Chairman.*] What was the ship's name?—The "Orient." We had upwards of 700 passengers on board.

702. On one or two decks?—Two decks.

703. How many deaths?—Two infants.

704. No adults?—No adults.

705. What was the next vessel?—The next vessel was the "Manhatton."

706. What year?—1853.

707. How many were in the "Manhatton"?—Nine hundred.

708. How many deaths?—Two infants.

709. Similar to the "Orient"?—Exactly; and two births.

710. Those were the American passages?—Yes.

711. Mr. *Peel.*] Were those American vessels?—Yes, they were.

712. Have you made any other voyages to America?—I came home in the "City of Glasgow" steam-ship, and I came home in the "William Penn" to Philadelphia, having left the ships in Quebec, to return as I liked myself.

713. Those were not passenger voyages?—I had nothing to do with them as a medical man.

714. Did you go on board any other emigrant vessel to Quebec?—Yes, I went on board the "Joseph Hutchinson."

715. When was that?—About three years ago.

716. How many passengers?—About 400 or 500.

717. How many deaths?—Not more than three or four deaths.

718. *Chairman.*] There were five American passages that you have made as surgeon, in the "Ashburton," the "Abbey Lands," the "Orient," the "Manhatton," and the "Joseph Hutchinson"?—There was another ship, but not last year. I sailed in the "Chatham" also to Quebec, two years ago, I think it was.

719. How many passengers were in her?—We had a number bordering on 400 or 500.

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720. Have you any recollection how many deaths there were?—We had a few deaths; three or four, not more.

721. Mr. *Peel.*] Were the passages generally of an average duration in point of time?—Generally five or six weeks to New York; and, in the "Chatham," we were eight weeks at sea.

722. *Chairman.*] Have you made any other American passages besides the six you have mentioned?—No, those are all.

723. Now the Australian voyages?—I have not been to Australia.

724. Have you ever made any other passages as surgeon in emigrant ships?—No, none at all.

725. You are about to sail soon?—I should have been away now if I had not been before the Committee.

726. It does not appear that on board any of the vessels you have served in there has been any large mortality?—I have been fortunate; I am very happy to say that there has been nothing of the kind.

727. Have you observed any improvement in the arrangements for the comfort and safety of the passengers since the coming into operation of the present Act?—I think since the attention of the world has been directed to it, the captains are more cautious latterly; they cannot now do those things which a few years ago they did.

728. On board your ships?—On board my ships I have always been on good terms with the captains, and have induced them to do a great many things which were contrary to their wishes, first, in giving out provisions; in the American ships they have generally as much bread stuffs, and every other requisite as will do for a couple of voyages. The British ships going to Quebec that I have sailed in have scarcely ever had more than what the law required.

729. Mr. *Peel.*] Were any of your voyages to Quebec made since the passing of this Act?—They are all made in the last four or five years.

730. This Act is only 18 months old?—I am not acquainted with that Act.

731. Has any of your voyages to Quebec taken place since the autumn of 1852?—Yes.

732. Which was that?—The "Chatham" was the last.

733. What was the date of that?—I cannot tell now.

734. Was it the beginning or the end of 1852?—It was the latter end of 1852.

735. Captain *Scobell.*] In the winter?—No, we never can get up there in the winter.

736. You said the latter end?—About August.

737. Mr. *Peel.*] That was before the coming into operation of this Act, which only came into operation on the 1st of October?—I do not know anything of that Act.

738. You cannot speak from experience of the working of the present law on board any vessels except the two which went last year to New York, the "Orient," and the "Manhatton"?—I can speak generally with respect to the food and treatment the emigrants get, both in the American liners and the British ships going to Quebec.

739. Sir *T. Herbert.*] When were you last employed?—The last employment was in the "Manhatton."

740. Mr. *Peel.*] With regard to the issue of provisions on board the vessels to New York in 1853, were they issued in a cooked state?—They were not; latterly they have been cooked. The last voyage they have been cooked according to the new regulations.

741. *Chairman.*] In the American ships?—In the American and British ships. The American Government has come to an understanding with the British Government with regard to the cooking of the food; and the last time I sailed in the "Manhatton" it was cooked and distributed to the passengers. When I was in the "Orient" it was not done so, because I think the law had not come into operation at the time.

742. Had you any copy of this Act given to you?—No.

743. Or the means of knowing what the provisions of the law generally were?—Yes, I knew what they generally were. I have made all the inquiry that is necessary for me; but not being connected with the profession, I have not given myself further trouble than to see how the passengers were treated.

744. Captain *Scobell.*] Is there any list stuck up on board?—Yes.

745. Mr.

745. Mr. *Peel.*] What?—Copies of the Act of Parliament, which have always been put up in the ships I have sailed in. I have just referred to them in a cursory way.

746. You were not furnished with a copy for your own private use?—No.

747. *Chairman.*] You say the American ships had as much bread stuffs as would serve for two voyages?—Yes.

748. The surplus quantity remains over to the next voyage?—Yes; the captains of American ships, generally speaking, have an interest in the ships.

749. The surplus provisions remain?—It goes to the owner and the captain.

750. Is there anything to prevent him leaving it on board, and if left on board, is there not danger of its becoming unfit for a subsequent voyage?—I do not see how that could well be done; they generally have an object in view, and they would take care to keep it tolerably good, as much as possible; but sometimes it has become destroyed, and if it is destroyed of course the passengers must eat it.

751. Have you any suggestion to make with regard to the quantity, or the mode of serving out the provisions?—I have written a good deal to the Commissioners on Emigration on this subject, and to Mr. Buchanan; when I have seen the hardships the passengers are under, I have taken the liberty at all times to write.

752. Mr. *Peel.*] Have you written to Mr. Buchanan since the coming into operation of the present Act?—No; the last time I was in Quebec I spoke to him on the subject.

753. Are you aware whether any of your suggestions were carried out in this law or not?—I am certain that several of them have been carried out. Perhaps I am taking credit to myself which I do not deserve; I have written upon, and I think I have improved the medicine chest.

754. Have you made any suggestions for the improvement of the present law in your letters to Mr. Buchanan, or are you speaking of the law before it was amended by the present Act?—I cannot say; my letters are before the Commissioners.

755. Sir *T. Herbert.*] Do you know from your experience whether the provisions have ever run short on board emigrant ships?—Yes; in the "Chatham" we were literally starved. They lived on bread, biscuit, and tea for a fortnight, and I scarcely got anything better myself.

756. Do you know of any other instance?—I know, generally, there is short allowance in all the ships.

757. *Chairman.*] American?—American and all.

758. That is, all the ships you have been in?—All that I have been in.

759. Sir *T. Herbert.*] Did you not say just now that the American ships had rather more than their quantity?—Yes; but they do not give it.

760. Still it was on board?—Yes.

761. But it was not on board the "Chatham"?—No, because we were eight weeks at sea; that was one reason.

762. Do you consider that the quantity is adequate which is laid down in the scale of the Passengers' Act, the number of days' provisions?—I do not think it is; I know it is not what you would give your servants.

763. *Chairman.*] Do you mean that the quality is not?—Neither the quality nor the quantity is sufficient.

764. Mr. *Peel.*] What is the estimated number of days of a voyage to North America?—Seventy-one or seventy-two.

765. Is not that a sufficient number of days as an estimate for the voyage?—I will give you an estimate with regard to the "Chatham;" when we arrived in the St. Lawrence, when we got inside St. Paul's, all our food was nearly gone.

766. That voyage lasted eight weeks?—Yes.

767. That was 56 days?—Yes.

768. Fourteen within the estimated number?—Yes; and a great number of passengers had a great deal of their own food, and never called on the ship until such time as their own food was run out.

769. *Chairman.*] Therefore the supply must have been very short?—Yes, very short.

770. Mr. *Peel.*] The passengers had occasion to use the supply provided by the ship?—No, many of them had not.

 771. Therefore

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771. Therefore that supply remained unexhausted up to an advanced period of the voyage?—Certainly.

772. Was it not then even sufficient?—It was not, of which Mr. Buchanan was perfectly aware, and of which the Commissioners here are aware.

773. Then the supply could not have been to the full extent required by the law?—It could not; and in that ship the casks were so rotten that we had 13 which broke immediately.

774. Would you still suggest that the number of the days should be increased, in supplying a vessel with provisions, above 70?—I should say it should be unlimited; if I may use such an expression, it should be reasonably unlimited, so that there should be a sufficient supply of food for people going to sea.

775. Mr. *Fagan.*] That supply must be bounded by some estimate?—I should say at least doubled.

776. Captain *Scobell.*] Have you ever known a vessel above 70 days going?—Yes; vessels have been much longer than that, and not heard of.

777. Have any of those emigrant vessels been longer than that?—No, I have not heard of any; it might be without my knowledge.

778. Then your notion must have been that the vessel of which you have been speaking had not 70 days' provisions on board when she started?—No, she had not.

779. Was she an American vessel?—No, a British vessel, the "Chatham."

780. Did not the emigration officers inquire into the state and quantity of the provisions before she sailed?—That was their duty.

781. Mr. *Peel.*] Would you have complained if there had been 70 days' provisions on board that ship, the "Chatham"?—I think that the captain acted very indiscreetly in the matter.

782. Supposing there had been 70 days' provisions on board that vessel, the "Chatham," which performed the voyage in 56 days, would you have any reason to complain of there being a deficiency of provisions on board?—Yes.

783. *Chairman.*] Do you mean to say that you consider the scale of dietary allowed insufficient, putting out of the question whether he acted up to the scale?—Yes.

784. Mr. *Peel.*] The scale you spoke of is the scale under the old Act?—Yes.

785. Therefore you cannot say whether it would be advisable to amend the present Parliamentary scale?—I think that it would give them a larger quantity on board, and a better quality.

786. Mr. *C. Fortescue.*] You say you were were out 56 days, or eight weeks?—Yes.

787. The number of the days' provisions which by the Act ought to have been on board was provisions for 70 days?—There was not so much.

788. But if there had been provisions for 70 days on board, that would have been ample?—It would, because we arrived within the 70.

789. Mr. *Peel.*] Yet was not 56 days an unusually long voyage?—We were longer going out to Quebec than any other ship which left Liverpool that year.

790. Mr. *Meagher.*] Do you mean to say that 70 days of this scale of diet is not sufficient for a 56 days' passage?—I should rather think it is not.

791. *Chairman.*] You are speaking with regard to the old scale of dietary; you have had no experience since the new scale came into operation, because you have not sailed in British ships since then?—I have not.

792. You merely speak generally of the supply of provisions being insufficient; that what was allowed for 70 days did not do for 56?—Yes.

793. Mr. *Peel.*] Had you any reason to complain of the medicines also being deficient in quality and quantity?—Yes; the medicines were at one time analysed in Quebec, and it was found that one of our medicines that was used very much in diarrhœa did not contain a sufficient quantity of opium, and it was bad.

794. You are now speaking of a period antecedent to the passing of the Act?—Yes.

795. But confine your statements to the voyages made since the passing of the Act?—I think, generally speaking, the medicines now are very good.

796. You

796. You have made two voyages under the present Act?—Yes.

797. Did you examine the medicines in those two vessels?—Yes, I did generally. I found better what their effects were. I found that the medicines were generally good.

798. *Chairman.*] The water casks, you say, were rotten in the "Chatham?"—Yes.

799. Were they rotten in any other vessel that you sailed in?—Yes, I have heard of them in all vessels.

800. How do you know it; have you had personal experience?—I know it, because I have heard the captains themselves declare it.

801. With regard to the "Chatham," before she left Liverpool was there an examination by the emigration officer of the water-casks?—I do not know; but I am quite certain that it was the case; either that, or they overlooked their duty.

802. Sir *T. Herbert.*] Were you short of water in those vessels?—The passengers did not get their allowance, and that is frequently the case in all the ships. And I would suggest to the Committee, that for the future the passengers should have a larger supply of water than the present Act entitles them to.

803. Mr. *Peel.*] What does the present Act entitle them to?—I have it not in my memory, but I know that it is not sufficient.

804. Captain *Scobell.*] What should you say was the proper quantity?—In some seasons I would give to each passenger four or five quarts in the twenty-four hours; in the summer time for instance.

805. *Chairman.*] Is that to include the cooking purposes?—At present that is not necessary, because they cook for them now.

806. In the winter time what should the quantity be?—In winter time cold water is not cared for so much. I think the present allowance is sufficient then.

807. Sir *T. Herbert.*] Is there any other part of the provisions which runs short more than another, or do all go short in equal proportions?—Generally they do. In some of the ships I have seen some rice, and sometimes flour, or perhaps one chest of tea; and if we were a few weeks longer at sea we should have nothing to resort to.

808. *Chairman.*] With regard to the deficiency, a Member of the Committee is under the impression that a great part of that was probably the deficiency of water in consequence of the bursting of the casks; was that the case, or was there also a considerable deficiency of solid food?—I think there was the quantity of water on board.

809. Was there also a deficiency of solid food?—There was.

810. Mr. *Meagher.*] Did passengers complain on this voyage of the short-coming of the provisions?—In all the voyages that I have been they have always complained, and with just reason.

811. In that particular voyage of the "Chatham"?—Yes, they did; and they wrote to Mr. Buchanan, and he sent down his agent immediately.

812. Was there any prosecution of the captain?—He was punished, I know.

813. Mr. *Peel.*] What year was that in?—Two years ago.

814. Before the present Act was passed?—Yes; Mr. Buchanan acted with great justice.

815. Captain *Scobell.*] In the last vessel, had you any place appropriated, in case of infectious diseases, to put patients in?—In the last vessel we had a very beautiful arrangement; we had a house on deck.

816. Had you that kind of arrangement?—Yes; we had a hospital on deck.

817. Mr. *Fagan.*] Was that an American vessel?—Yes.

818. Captain *Scobell.*] Were the passengers brought up every day to take the air at regular hours and times?—I had them up at six in the morning.

819. Is there any difficulty in carrying out those arrangements?—There is now and then; but when they understand that they are going to be treated fairly and kindly, they will accede to your wishes.

820. Mr. *Peel.*] The present Act requires that a space should be provided for a hospital on board all emigrant vessels?—That was the case in the last vessel that I sailed in.

821. Captain *Scobell.*] Not in the others?—There was a kind of hospital provision;

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vision; but it was merely a nook; the last vessel was the best. The "Orient" was next in quality to the "Manhatton."

822. Mr. *Peel.*] Those are the only two vessels you have sailed in under the present Act?—Yes.

823. And in those two vessels the hospital accommodation was as good as you could wish it to be?—Yes.

824. Mr. *Fagan.*] Did you find any difference in the treatment of emigrants in American vessels and British vessels?—I should say that they are treated better in American ships; much better.

825. Mr. *Meagher.*] In what respect?—I speak of myself, as a professional man; we have a better table, for instance; that is, the captain's table; and if we have any person sick amongst us, we have a great many nice delicacies for females and children. In British ships, the captain sits down to a miserable junk of beef, that you would scarcely give to your servants; and there are scarcely any of those comforts that they have in the liners.

826. Captain *Scobell.*] We are speaking of the comforts of the passengers?—I refer to that; we have soups, and pies and puddings, that we can give to the sick after we have done with them.

827. Which you do not get in the English ships?—No, because they have it not themselves.

828. Mr. *C. Fortescue.*] Will you look at the dietary scale in the present Act; do you think that scale has been acted on, on board the two ships that you have sailed in during the last year?—I think that it has not.

829. Mr. *Peel.*] Those were American vessels going to a foreign port?—I would rather that you would not confine me to the last two or three years.

830. We must, because we wish to know whether it is necessary to amend this Act in any respect?—I should think that there is not sufficient in the scale. I never saw five pounds of good potatoes. I have never seen a potato distributed on board any ship since I went out to sea first, and I know it is the fact that they do not give them. In the ticket which the emigrants get on leaving Liverpool, they say "potatoes or meal," but I have never seen a potato on board any ship.

831. It is an alternative scale; they are not to have potatoes and the other particulars in the scale?—Decidedly not; but in those tickets which I spoke of, which the emigrant gets from the agent, potatoes are always mentioned.

832. Mr. *Fagan.*] But, referring back to the scale, you say that you do not think it sufficient?—I do not think it is.

833. Mr. *Peel.*] Do you consider potatoes a wholesome diet on board ship?—I do; and on land too.

834. Captain *Scobell.*] Particularly for the poor?—Yes, and for the rich.

835. The poor are more used to potatoes?—I believe that one of the reasons why Ireland has generally been so free from the scurvy is the unlimited quantity of potatoes they eat. I do not know whether in some respects the abuse of potato-eating may not be bad.

836. Mr. *C. Fortescue.*] Would it not be well for the medical man on board an emigrant ship to have a copy of the Act in his possession, to make himself acquainted with its provisions?—I think it would.

837. *Chairman.*] Have you not stated that there is posted up in a conspicuous place the regulations that come within your sphere?—Yes; I have read them every day over and over again, and when there was any dispute I was referred to in the matter.

838. Mr. *Meagher.*] Would you not consider it quite within your province to see that the dietary was attended to properly?—So I have.

839. *Chairman.*] You made remonstrances?—Yes.

840. Captain *Scobell.*] If you refer to the dietary table, at page 365 of the Act, you will find there is no meat at all?—No.

841. Then the clause provides that at the option of the master he may give other things, which includes meat, if he does not choose to adhere to the dietary scale as laid down in the first part of Clause 32; for the passengers, according to that, would have no meat at all; have you ever known of ships where they give no meat?—In the ships to Quebec they never gave meat.

842. Were they English ships?—Yes.

843. That is under the old law?—As far as I can judge from the voyages I have

have made, I think there is quite a mistaken notion with regard to the provisions of the ships going to Quebec, as compared with those going to Australia. The evidence of the gentleman who appeared before me seemed to include altogether the provisions of those passengers going to Australia. I know they are perfectly well provided for, and better attended to than any other passengers; but with regard to American passengers the case is quite different.

844. Mr. *Peel.*] With regard to Australian ships you have no experience?—I have been on board those ships.

845. In harbour?—Yes.

846. *Chairman.*] Have you seen the provisions served out, or have you any actual knowledge?—No, I have not.

847. With regard to this dietary, you say you were not aware of this Act?—Not the Act which is in force.

848. Was there not a table posted up in the two American ships to satisfy this dietary?—Yes.

849. Does it differ very much from the dietary which existed before in your previous voyages?—Not very materially.

850. Mr. *Fagan.*] Then you say it is not sufficient?—I think it is not.

851. In what particulars; just read over the items?—The biscuit is generally very bad, and not fit to be eaten.

852. *Chairman.*] Does that apply to both American and British ships?—Yes, in both the biscuit is always bad.

853. Mr. *Peel.*] The Act requires that the provisions should be sweet and wholesome?—Just so.

854. *Chairman.*] You have found in your experience that they are not so?—Yes.

855. Mr. *Peel.*] Would you have a more stringent clause than that?—Yes.

856. What words would you introduce?—I would leave a good deal to the power of the surgeon on board ship.

857. Captain *Scobell.*] Would it be a good arrangement if the surgeon was required to make a written report of anything connected with the want of supplies at the end of every voyage?—I think it would.

858. Mr. *Peel.*] Could you compel him to make that? Could an Imperial Act compel the surgeon of an emigrant vessel, going to a foreign port, to make that report?—I would not give him his full pay until he did.

859. By whom was the surgeon paid in the ships you speak of?—In the American ships by the captain, and in the British ships by the charterer.

860. How would you propose that the Government should prevent his receiving pay from the master on arriving at a foreign port?—What I should suggest would be this: that the emigration agent at Liverpool should receive his pay, and that one half should be given to him, and the remainder paid when he gave this report to which you refer; that is, when he arrived in New York or Quebec. After he gave in his report to satisfy the British Government, I would pay to him the remainder of his money.

861. *Chairman.*] How do you propose to compel the American owner to do so?—I know the Americans wish to be on good terms, and to come to an arrangement with us on such a subject.

862. Mr. *Fagan.*] In that case would it not be an improvement that the surgeons should be employed by the Emigration Commissioners, and not by the charterer?—Yes. I would much rather see the surgeons employed by the Government, so that the captain of the ship should have nothing to do with it.

863. Would you object to an American surgeon being employed on board an emigrant ship?—Certainly not. I would have him recognised by the Government.

864. *Chairman.*] Suppose he was appointed by the American Government?—The American Government recognises the British diploma.

865. Mr. *Fagan.*] If a person is employed by the charterer, it is not likely that he will inform against the person who employs him?—That is a good suggestion; that is the very thing that he will not do, for if he did that he would not be employed again; but I would put him in such a position that he would be beyond the control of the owner or charterer.

866. Your suggestion is, that he should be employed by the Emigration Commissioners?—Yes.

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867. Mr. *Peel.*] Is it not the case that, under the present Act, the emigration officer has a veto on the appointment of a medical practitioner?—He has.

868. What further power would you propose to give him?—The power that I would give him is, that the captain should not be the director of all the things going on in the ship; I would allow the surgeon to have a word, and say, "Sir, such and such a thing must be done." If the surgeon goes up to the captain, and gives him a good deal of soft sawder, he will do a great deal for him; but I would put it in such a way that the captain would be bound to do his duty by the passengers.

869. Sir *T. Herbert.*] You would take away the direction from the captain, and give it to the surgeon?—Yes, I would, a good deal of it.

870. Do you know of any inspection of provisions which takes place before the ship sails, so as to ascertain whether the quality is good; you complained of the biscuit being bad; do you know whether the emigration agent inspects the biscuit, to see whether it is good?—It must have been seen; there is no doubt of that.

871. Do you know whether there is any examination of the food?—There is.

872. Is it examined by the emigration officer?—Yes.

873. Still, in every instance, you report that the biscuit has been inferior?—Very bad; and everything of an inferior quality.

874. Mr. *Peel.*] Was that the case, even with regard to the two ships in which you sailed, which came under the operation of the present Act, to your knowledge?—The two last ships were much better.

875. Those are the only two ships which you have embarked in during the present law?—Yes.

876. So that the present law has greatly added to the comfort of emigrants?—No doubt.

877. If you have found that to be the case, how would you propose to extend further the provisions of the law?—I would give the surgeon more power; that is, I think, the principal thing.

878. Mr. *Fagan.*] Have you ever been consulted by the emigration inspector or agent with regard to the provisions?—I have written my opinion.

879. During the inspection?—On my return to England, and sometimes from New York, and I have got letters of thanks from them.

880. Captain *Scobell.*] What class of persons are the inspecting officers as to their education and grade in life?—They are gentlemen; all officers of the Royal Navy.

881. The persons who inspect the provisions?—Yes; the emigration agents.

882. Mr. *Peel.*] Would you transfer the powers which are now vested in the emigration agents over the quality and the quantity of the provisions, and water, by the Act required to be placed on board ships, to the medical practitioner?—No; I would not deprive the Commissioners of it.

883. Would you require that there should be a joint inspection?—I would, by the medical man who goes on board the ship, and who is to be employed on the voyage.

884. You would have no security for uniformity of inspection in that case, if there is to be a different officer employed in every case?—It is seldom that a surgeon goes more than once or twice in the same ship; they change almost every voyage.

885. If the medical officer engaged on board each emigrant vessel was to be the party, in conjunction with the emigrant officer, to survey the provisions and water, they would be surveyed by different persons in every case?—Yes.

886. Do you see no objection to that?—No.

887. Captain *Scobell.*] You mean the survey should only be as to the quantity of provisions, and not as to the quality?—The quality particularly.

888. Mr. *Peel.*] Would it not be better to have a medical officer attached to the emigration agency of the port, rather than to employ the medical officer of the vessel?—Perhaps it would be.

889. *Chairman.*] You said the biscuit was invariably bad; with respect to the other articles, such as cocoa, rice, sugar, &c., were they generally or particularly bad?—Generally they are inferior articles, which no one would purchase for their own use at all.

890. Mr. *Peel.*] That was the case even in the two vessels of which alone you have any experience under the present Act?—They were better, a great deal.

891. *Chairman.*]

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891. *Chairman.*] The biscuit was not good?—No.

892. Captain *Scobell.*] Although they were better, were they as good as they should be?—Not at all; they were not provisions that any person would purchase for himself.

893. Sir *T. Herbert.*] Have you seen the biscuit served out in the Navy?—Frequently.

894. Then it is not as good as that biscuit?—Not at all.

895. *Chairman.*] In your further evidence, will you be able to give information as to the sleeping arrangements, the division of sexes, the state of the water closets when starting, and when at sea?—I will endeavour to do so.

896. Have those matters come under your cognisance?—Yes; I shall be able to give some information as to that.

897. Mr. *Peel.*] With reference to the efficiency of the present law?—No.

898. Therefore you cannot assist the Committee as to whether the present Act requires amendment in this respect, or not?—If you will allow me to take the Act with me I could look over it, and be able to give you my opinion on the subject; at present I am not prepared to do it, because I am not aware of the Act of Parliament.

899. *Chairman.*] If you knew of facts they would be present to your memory even now: do you think you would be prepared on the next day the Committee sits with facts as to the deficiency of sleeping accommodation, as to water-closets, and as to the promiscuous berthing of the two sexes?—I think I could.

900. With reference to the Act, but chiefly with reference to the two vessels you sailed in?—I can.

901. Then they were grievances connected with those two points?—They were.

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*Jovis, 23° die Martii,* 1854.

MEMBERS PRESENT.

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|---|---|
| Mr. John O'Connell. | Mr. Monckton Milnes. |
| Mr. Peel. | Mr. Geo. A. Hamilton. |
| Mr. Chichester Fortescue. | Sir Thomas Herbert. |
| Sir James Anderson. | Mr. Fagan. |
| Mr. Meagher. | Captain Scobell. |
| Mr. Liddell. | Mr. Higgins. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Lieutenant *Hutchison,* R.N., called in; and Examined.

Lieut. *Hutchison,* R. N.

23 March 1854.

902. *Chairman.*] YOU are a Lieutenant in the Royal Navy, and harbour and pilot master of Kingstown?—Yes.

903. And you have had a good many opportunities of seeing emigrant ships?—I have.

904. They have very frequently put into the harbour of Kingstown after sailing from Dublin?—Yes.

905. Previous to going to sea?—Yes.

906. And you generally examine them?—I generally go on board of them.

907. Mr. *Peel.*] Emigrant vessels leaving Dublin?—Yes; they remain in Kingstown twenty-four hours before they sail, and occasionally they put back, in consequence of contrary winds.

908. To what destination?—Mostly to North America and Quebec.

909. Is there an emigration agent at the port?—Not at Kingstown; there is one at Dublin.

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910. *Chairman.*] You have also visited the convict ships?—Convict ships come there repeatedly; they always take their convicts on board at Kingstown.

911. You have observed a very marked difference between the arrangements for convicts in convict ships, and the arrangements for emigrants in emigrant ships?—I have.

912. Which are the superior arrangements?—The convict ships are so well fitted up, that I have often taken people on board to visit them, from the admirable manner in which they are fitted up.

913. Mr. *Peel.*] Do you conceive that the arrangements in passenger vessels should be the same as those in convict vessels?—I think they should be the same.

914. But would you make no allowance for the different class of persons that are carried in convict vessels?—The present fittings up in convict vessels are not the same as for passenger ships; I think the accommodation might be improved in ships for emigrants.

915. Would you make no allowance for the circumstance of the convict vessels going to Australia, a long voyage, through the tropics?—A vessel that is detained at sea three weeks or a month should be fitted up just as well as a convict ship.

916. *Chairman.*] Especially as there are women and children on board, and often passengers in a feeble state of health; whereas in convict ships there is no person that is not reported by the medical man to be fit for the voyage?—They are all examined by a surgeon before they are put on board, and a surgeon superintendent accompanies them.

917. Mr. *Peel.*] Is a convict vessel under the Passengers' Act?—No; under the particular regulations of the Admiralty.

918. Capt. *Scobell.*] Can you state what advantages a convict ship has in fitting or provisions over an emigrant vessel?—The ship is a much better description of vessel; she is a second class vessel. Emigrant ships may be taken up from any class, or, in fact, from no class at all.

919. State the advantages as to her fittings, or provisions, or anything of that sort?—On a long voyage they have a better daily allowance of provisions than to New York.

920. Do you know if they get any meat?—They do.

921. Just mention the quantity of meat per week, or per diem?—Convict ships every second day get half a pound of pork, and every second day get half a pound of beef; and with pork they get half a pint of peas; and with the beef they get half a pound of flour.

922. Are you aware that in emigrant ships they do not necessarily get any meat, the first dietary has no meat in it, and the master has the option of having one or the other?—If they act on the dietary to Australia, they get meat.

923. *Chairman.*] Under the regulations of the Commissioners, not the other?—No.

924. Captain *Scobell.*] The first dietary table allows no meat, but the master may at his option adopt another dietary table which has a little meat in it?—That is to Australia.

925. By the Act of Parliament?—By the Act of Parliament there are to be 10½ lbs. a week of bread stuffs.

926. But no meat?—No meat.

927. *Chairman.*] If you turn over the dietary you will see that it is permissive; there might be meat substituted, but in the North American passage meat is not given?—No.

928. Mr. *Peel.*] The convicts on board a convict vessel must be under some sort of restraint?—The surgeon superintendent has the command of them, and at night they are shut down; otherwise during the day they are allowed to be up on deck.

929. As they please?—A certain number of them at a time.

930. Therefore you could not make the same provision for ordinary emigrants on board a passenger ship, as you would for convicts on board a convict ship?—I mean as to the fitting out of the vessel; the vessel is so beautifully fitted up. Every man or woman has a berth to themselves, separated by a partition. There is 18 inches in breadth, and six feet in length.

931. Are females and males in the same ship?—No, in separate ships.

932. Then how are they berthed separately?—I mean each person has a separate berth to himself. In emigrant ships there is a space of six feet in breadth and

and six feet deep, and in that place there are four persons put to sleep; at least it was so in the "Java."

933. Where for?—For New York.

934. Are four passengers berthed together in the case of a voyage to Australia?—No, not to Australia; there are generally two in a berth to Australia.

935. *Chairman.*] Are you aware that the regulation is the same with regard to the passage to America as the passage to Australia, in not allowing four passengers together in any berth?—I believe there is not; the Act of Parliament does not specify any difference.

936. Mr. *Peel.*] You were understood to say, that in the case of a convict vessel each convict is berthed separately?—Yes.

937. And that, in the case of ordinary emigrant vessels, there are four or three in a berth?—Three in a berth and four in a berth.

938. In the case of a voyage to Australia, would four be berthed together?—I have not seen any vessels bound to Australia; only vessels bound to New York.

939. *Chairman.*] Is this case of the "Java" a recent case?—She sailed from Dublin on the 17th of March for New York; I left her at Kingstown the day before yesterday.

940. Were her decks properly laid according to the Act?—The decks appeared to me to be outside slabs of balk timber.

941. Mr. *Meagher.*] Was she a single-decked vessel, or a double-decked vessel?—A single-decked vessel.

942. How many passengers?—About 200.

943. *Chairman.*] Were there six feet between each deck?—Six feet between the main deck and the upper deck.

944. Captain *Scobell.*] From the lower part of the beams, or the deck itself?—From the top of the main deck, the passengers' deck, to the upper deck.

945. *Chairman.*] What space was there between the two tiers?—These were the berths; I measured them. The berths in the steerage abaft the mainmast were six feet long by four feet ten inches in width, and three feet deep; that was the upper tier.

946. Then the lower tier?—The lower tier was two feet six inches deep.

947. There were two feet six inches between the berths; the men lying in the lower tier, in the bottom of their berths?—Yes.

948. Were there six inches between the bottom of the lower tier of berths and the deck below?—Yes; that was to accommodate three persons; then before the mainmast the berths were six feet long by six feet wide, and the depth the same as abaft, to accommodate four persons.

949. Captain *Scobell.*] Each?—Each.

950. Mr. *Peel.*] What do you say was the height between the decks?—Six feet.

951. Have you ever known any instance in which the height has been less than six feet?—I have not seen it myself, but I have been informed that sometimes the berths in those vessels which generally go to Quebec and carry timber, have no permanent deck laid, and the beams are sometimes within five feet six inches of the upper deck. They have to put battens on the lower part of the beams to make up the six feet, and then the beams are above the deck.

952. Are you aware that it is in contravention of the Act to have a height of less than six feet between the decks?—They manage by that means to get the six feet by taking the deck below, the beams resting upon a ledge.

953. Mr. *Meagher.*] But not six feet in every part of the deck?—No.

954. Mr. *Hamilton.*] Is not the effect of that to diminish the space which the law requires for each emigrant?—Of course it will close the berths.

955. *Chairman.*] Of course, when the beams come above the deck in the manner of which you speak, it must be almost impossible to clean below the berths?—Quite impossible; I did not see that myself.

956. Mr. *Peel.*] Have you any power of interfering?—None whatever.

957. Have you any right to go on board these vessels?—I have gone down out of curiosity to look at them, and I have often found those ships, bound to Quebec and New York, so filthy and dirty, that I was obliged to get up again as soon as possible.

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958. Did you ever make any complaints in cases where you thought the Act not complied with?—No.

959. Captain *Scobell.*] That would not have been your duty?—It would have been an interference with the duties of another officer.

960. Mr. *Peel.*] How many emigrant vessels do you suppose you have visited in the course of the last 12 months?—I do not suppose I have visited more than half a dozen.

961. Not in the whole year?—There are not so many emigrant ships from Dublin; and if the wind is fair they go to sea without calling at Kingstown.

962. Were those six vessels proceeding to America?—The "Java" is one; the vessel that was wrecked on the Arklow Bank the other day was a second ship; and there were three or four others last year.

963. All proceeding to America?—Yes.

964. All having a large number of passengers on board?—Yes.

965. Principally Irish?—Yes.

966. *Chairman.*] With regard to the "Java," were the decks secure in case of a ship having to work in bad weather with a great weight on those decks?—They were not caulked; they were merely laid, and not caulked; which is a very bad thing, for all the filth and dirt falls down into the hold.

967. Captain *Scobell.*] Was there nothing whatever between the planks?—Nothing whatever in the seam; the planks were laid close together, but not caulked.

968. Mr. *Peel.*] How many passengers were there on board that vessel?—Two hundred.

969. Mr. *Higgins.*] Was there a surgeon on board?—Not any.

970. Mr. *Peel.*] When was that vessel cleared?—On the 17th of March she sailed from Dublin.

971. Having been cleared by the emigration agent in Dublin?—Yes; she was at Kingstown on the 21st, when I saw her.

972. *Chairman.*] Was there any provision made for the separation of the sexes on board?—They appeared to be all mixed together. I went down below, and I saw both men and women abaft and men and women forward.

973. In the daytime?—Yes.

674. Mr. *Peel.*] Did it strike you that the Act was not complied with in that vessel?—I have read over the Act since; I had not the Act when I was on board of her, and I think it prescribes that the men and women shall be separate.

975. Did it occur to you at the time that the officer responsible for seeing to the execution of this Act must have overlooked these defects in the vessel?—At the time I was not aware that it is contrary to the Act; but on looking over it, I see in some clauses it is mentioned that there shall not be more than one male and one female in each berth.

976. It did not strike you at the time that the vessel was unfit to proceed to sea with passengers on board?—I thought that the Act had been fulfilled in that particular vessel.

977. Did you think that the vessel was in a fit state to proceed to sea with passengers on board?—I did not.

978. Having that feeling, did it not occur to you to make a representation to the emigration agent at Dublin?—I do not consider it was my duty to interfere.

979. Although you thought that the vessel was unfit to proceed to sea, you conceived you would have been stepping out of your duty if you made some representation at the time?—I thought that this vessel was fitted up in a very slovenly manner for emigration. If these emigrant vessels were fitted up the same as convict vessels, it would be a great improvement.

980. Captain *Scobell.*] Whose duty is it to go on board last, yours or the emigration officer's; who would see the vessel last?—I have nothing to do with the vessel, but to see that she is properly berthed in the harbour.

981. Is there an emigration officer at Kingstown?—Not at Kingstown; at Dublin.

982. Does he visit the vessel there?—Yes.

983. If there were any deficiencies he would see them?—The Act of Parliament does not say that it shall be caulked, therefore they can avoid that.

984. This want of caulking is very palpable to the eye, and any water would run through the deck down there?—Yes.

985. *Chairman.*]

985. *Chairman.*] And all the dirt on the passage would fall down and corrupt below?—Yes. I think that all emigrant vessels should have a permanent main deck, and seven feet high would be preferable to six.

986. Mr. *Peel.*] Can you alter with facility the height of the decks of a vessel?—Upon building them.

987. Of a vessel already built?—You could not alter them.

988. Would you propose to exclude from the passenger trade all vessels not higher than six feet between the decks?—No, I think that would be rather hard to do; but both the decks of the American ship "Robert Kelly," were seven feet high, which added much to the comfort of the passengers.

989. Would you propose for the future that no vessels should be allowed to carry emigrants which were not seven feet between the decks?—I would.

990. Excluding from the passenger trade all vessels now built that are not seven feet high?—Yes, it would be a great addition to the health of the passengers and of their comfort.

991. What proportion of vessels that have come under your notice, in any way, have had a space between decks of seven feet in height?—The "Robert Kelly," that went ashore at Arklow Bank the other day.

992. What proportion of the vessels that have come under your notice?—I am informed that almost all the American vessels are seven feet high; they find it is of great advantage in the stowage of cotton; they can stow the bales of cotton much better by having a roomy main-deck.

993. Captain *Scobell.*] You are aware that the deck is laid on beams; do you mean six feet from deck to deck, or under the beams?—From deck to deck.

994. So that if she had from deck to deck seven feet, she would be six feet, or thereabouts, from the beams?—Very little more.

995. Mr. *Peel.*] How far apart are the beams?—I think the beams generally are from four to six feet apart; that is, the beams on the quarter deck and upper deck.

996. *Chairman.*] You have been asked whether you did not consider you were bound to make some remonstrance to the emigration officer in Dublin about the state of the ship. You are persuaded she was not fit to go to sea?—I really considered the "Java" unfit to go to sea; she is 15 years old, and the impression on my mind is, that a vessel of 15 years old is not fit to carry emigrants.

997. It is quite impossible she could have been in either of the higher classes at Lloyd's?—I saw the certificate given by the surveyors, and the ship is in no class whatever. It is a very good certificate, but of no class at Lloyd's, as she is 15 years old, North American built, belonging to Bristol.

998. North American ships are not generally considered very durable?—No.

999. Mr. *Liddell.*] Who was the owner or charterer of the "Java"?—I did not inquire that.

1000. Captain *Scobell.*] You are aware that the age of a ship does not altogether show her strength; she might have had a thorough repair in the meantime, and you know nothing about it?—No, an English-built ship of 15 years old would be a good ship, but an American ship, after 10 years, begins to complain very much.

1001. Mr. *Peel.*] Did you not feel called on to make an objection to a ship going to sea which you knew to be unseaworthy and dangerous?—I had not surveyed her myself, and of course could not be so well acquainted as those gentlemen who did survey her, as to her strength and qualifications. I saw a very good certificate given by those persons of her being a perfectly fit ship.

1002. Do you consider that certificate was borne out by the state of the vessel?—I think, if I had surveyed that vessel, directly I heard she was 15 years old, I should have considered her unsafe to have carried emigrants.

1003. How did you derive a knowledge of that vessel?—The captain gave me all the information I acquired.

1004. How many emigrants could that vessel have carried, according to her tonnage and official space?—I am not aware.

1005. Approximately?—I should think she might be fitted up for more.

1006. And only had 200 on board?—That is all; and they appeared confined for space in the ship.

1007. What is the section of the Act which you consider not to have been observed with regard to the berthing of the emigrants?—In every passenger

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ship the single men are to be berthed separately with compartments, as stated by section 19.

1008. Were these single or married men whom you saw with the females on board this vessel?—I could not tell that, they were mixed.

1009. How do you know that this Act was not observed in this vessel?—It says, not more than two passengers, except members of the same family, shall be placed in the same berth.

1010. You never saw them in the daytime in their berths?—I saw them in the daytime.

1011. Were you not speaking of the place not being divided into compartments. You stated that you had seen the passengers, male and female, in this vessel mixed together in a part of the ship undivided by any compartment?—I did; that is, before the mainmast.

1012. How could you tell without knowing whether the males were married or unmarried, that this section was broken; this section does not prohibit married men from being berthed in the same compartment of the vessel with females, does it?—I think the section says, not more than two passengers, unless members of the same family.

1013. That is with regard to lying in a berth?—Yes.

1014. We are speaking of their being together in the daytime in one part of the vessel?—I should have expected to have found from this clause that all the males were in the fore part of the ship.

1015. Is that the requirement of the section or not?—I think so.

1016. Does the Act speak of all males, or "all unmarried males"?—It says, "unmarried males."

1017. Implying, therefore, that married males are not contemplated by that part of the section; is not that so?—It is "unmarried males," certainly.

1018. Were you under the impression up to the present moment, that the section had reference to all males, and not merely to unmarried males?—I expected that a married man and his wife and family would remain in their own berth.

1019. In their own berth, certainly, but in a compartment divided off from the other females of the ship?—There appeared to be such a mixture on board, that I could not tell whether they were married or unmarried; they were all mixed together, males and females, in a very indecent kind of way.

1020. Mr. *Hamilton.*] Did there appear to be young women whom you could judge from their appearance were not married?—Yes.

1021. *Chairman.*] And young men?—Yes.

1022. Was any part for the accommodation of these common passengers partitioned off by bulkheads, or in any way separated from the rest?—There was a slight bulkhead just at the mainmast, between the steerage passengers and those forward.

1023. But forward there was no separation?—No.

1024. Section 19 of the Act says, "All the unmarried male passengers of the age of 14 years and upwards shall, to the satisfaction of the emigration officer at the port of clearance, be berthed in the fore part of the ship, in a compartment divided off from the space appropriated to the other passengers by a substantial and well secured bulkhead." There was no such thing?—No.

1025. "Or in separate rooms, if the ship be divided into compartments, and fitted with enclosed berths;" the ship had no enclosed berths except the steerage?—There were two just abaft the mainmast on each side of the mainmast.

1026. There was no bulk-head forward to inclose the unmarried males?—No, none whatever.

1027. Mr. *Hamilton.*] Did you observe the fore part of the ship; the part that, if the unmarried males were separated from the females as the Act directs, would be apportioned for them; did you observe that compartment?—I did not see any compartment whatever from the mainmast forward; they appeared to be mixed; if I had gone on board at night I could have seen how they lay.

1028. *Chairman.*] Still, from what you saw during the time you were there, it would appear clear that the only ground you had for supposing this section 19 of the Act was complied with would be, that all on board were married people; whereas several you saw, you say, were too young to suppose they were all married people, both male and female?—Yes.

1029. Mr.

1029. Mr. *Hamilton.*] In fact, did it appear that there were females on board in the fore part of the ship?—Yes.

1030. *Chairman.*] What was the condition with regard to waterclosets?—There were two privies, one in the port chains forward, and another on the starboard side; and they appeared to be the most miserably constructed places I ever saw.

1031. Did they appear as if they would stand the sea?—I consider that if a sea struck the ship on the bows they would be knocked away directly; they were nothing more than two double shoots, and the wind and sea would have rushed up.

1032. They were in some manner inclosed from sight?—Yes; there was a door from the deck.

1033. Was it a strong and substantial inclosure?—A slight door, about an inch thick.

1034. Mr. *Liddell.*] In short, they would serve their purpose in calm weather, but not in rough?—In harbour; but they were not fit for sea.

1035. *Chairman.*] With regard to waterclosets, where do they put the waterclosets on board convict ships?—They are obliged to have them below, because they are all locked down at night, both men and women.

1036. Do you conceive there would be any insuperable difficulty in constructing waterclosets in emigrant ships between decks that could be kept in order?—I think not.

1037. Have you ever considered this plan, which you have doubtless seen on board some vessels: having a hole in the side to discharge the soil, and tanks filled from the deck with sea water, so as to have only one hole. With a patent watercloset there are two; one to admit water from the sea to clear the closets, and another to discharge the soil; those are liable to get out of order. Would a closet fitted merely with a hole to discharge the soil, and with a tank overhead filled from the deck with salt water, easily get out of order?—It would not.

1038. Would not such a watercloset as that be very practicable?—It would.

1039. Mr. *Peel.*] You stated that the emigrant vessels were cleared by the emigration agent at Dublin?—Yes.

1040. But frequently put in at Kingstown?—This vessel, the "Java," has been at Kingstown for three or four days.

1041. Does it sail from Kingstown without being inspected by the emigration officer?—I am not certain that she is inspected a second time.

1042. Are any precautions taken to prevent an increased number of emigrants going on board at Kingstown after clearance by the emigration agent?—If such a thing is done, there is a clause to punish them severely for it.

1043. Would there be anything to prevent their going to sea with an excessive number of passengers on board?—There is no person there to prevent it.

1044. Is it within your knowledge that any cases of that kind have occurred?—I have not heard of any.

1045. Are there facilities for getting on board?—They could get on board with the greatest ease, if they wished to take such additional passengers; but I suppose the Act of Parliament is so severe that they would not do so.

1046. Mr. *Meagher.*] Are you aware that the American Act is also very severe on vessels bringing a greater number of passengers than they ought to do?—I have heard so.

1047. Mr. *Peel.*] Are you aware whether that American Act, although severe in its provisions, is put in force in the United States?—I am not aware.

1048. Mr. *Hamilton.*] Have you ever heard that a portion of the crew of an emigrant vessel which has put into Kingstown has left the vessel, and the number of the crew has been diminished?—I never heard of that.

1049. Mr. *Peel.*] What is the practice of the port of Dublin with regard to the proportion of the crew to the tonnage?—I think three to 100 tons.

050. Do you consider that number insufficient?—I do not think that is enough; I think they should have four.

1051. Even for a voyage to America?—Yes.

1052. Do you consider that in a voyage to Australia a larger crew is required in consideration of the possibility, in so long a voyage, that some of the crew may be taken ill or disabled from working?—I think that the voyage to America is sometimes as severe; they encounter very bad weather sometimes.

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The passengers become accustomed to the sea, and they will lend a hand in one of those long voyages.

1053. Do you consider that an emigrant vessel cannot be properly handled by a crew of three men in proportion to every hundred tons?—I do not think it can.

1054. To any destination?—No, not to any destination; I know that some of the convict ships have nine men to 200 tons by the Admiralty regulations.

1055. In an ordinary emigrant vessel going to the same destination as a convict vessel, to Australia, what is the proportion; how many men to 200 tons?—Three to 100 tons; the "Tayleur" had only three.

1056. How many to 200 tons?—Only six.

1057. Is it not the case that there are eight to the 200 tons in the emigrant vessels going to Australia?—I do not think they could work her with less.

1058. Is it not the case that with an ordinary emigrant vessel going to Australia there are four men to every hundred tons?—The "Tayleur," that was lost on the island of Lambay, had only three to 100 tons.

1059. Have you read Captain Walker's report?—I have.

1060. On what ground does he recommend that the proportion of the crew to the tonnage should be increased from three to four for every hundred tons?—I think only from the idea that a vessel of such a large construction requires four men to 100 tons.

1061. Do you remember this passage in his report: "When it is remembered that this ship had to go a long voyage, to pass through the tropics, and then to encounter bad weather in a high latitude, where in all probability some of the men would be on the sick list, I think that three men to the hundred tons, as now calculated, are insufficient." Do you recollect that passage?—I do.

1062. Does he not there seem to recommend that the proportion should be increased, on the ground of the possibility that some of the men would be on the sick list on a long voyage, where the vessel had to pass through the tropics; does not that appear to you to be the sense of the passage I have read?—She was an extraordinarily large ship, and I think less than four men to the 100 tons would not be enough.

1063. What is the ground on which Captain Walker appears to recommend an increase in the proportion of the men?—He recommends it, because in case of sickness the crew would be very much weakened; by scurvy, for instance; but a great number of passengers in a vessel of that kind would lend a hand. It is astonishing how much assistance the crew will get from the passengers in the shape of pulling and hauling in a ship of that kind when they get their sea legs.

1064. *Chairman.*] Is not the passage from our ports to America, and particularly from October to May, with great prevalence of westerly winds in the wild weather of the Atlantic, a very trying passage?—Yes, a very trying passage indeed.

1065. And calls on the energies of the men as much as the average weather of the Australian vessels?—I should think that the passengers who go to America are principally agricultural, and very little accustomed to the sea.

1066. I am speaking with regard to the crew?—I mean to say the crew can get no assistance from them, so that they require a good crew, for that reason, to America; a great many seafaring passengers take passage to Australia, from whom they might be enabled to recruit the crew.

1067. Mr. *Peel.*] Do you recommend that in every instance of a passenger vessel, there should be a crew of four men to every 100 tons?—I think so.

1068. Are you aware that a provision of that sort was introduced into the Passengers Bill of 1848, and was struck out in consequence of the representation of shipowners as to the difficulty of obtaining so large a number of nautical men for their vessels, and also the sufficiency of three men to every 100 tons?—No; I think if the captains of the vessels were asked the question they would be of a different opinion; the expense of more men is felt by the owners of the ships.

1069. We have great experience with regard to the voyages to America; and in those voyages for many years there have been on board a great number of vessels only three men to 100 tons, which proportion has been found sufficient; is that the case or not with American liners?—I do not know what the American liners carry; they have generally a very fine crew of seamen.

1070. Very efficient men?—Very efficient men.

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1071. But in number only three to the 100 tons?—I am not exactly aware of what the law is in America as to the number of men to each 100 tons.

1072. What is the practice on board the emigrant vessels from this country?—American vessels?

1073. Yes?—I am not aware what they carry, or what the American law compels them to carry.

1074. *Chairman.*] As a seaman yourself, do you not consider that three men to 100 tons, in a vessel of any size, is too small a number?—I think entirely too small.

1075. Mr. *Meagher.*] Was the "Robert Kelly" an American ship?—Yes.

1076. How many men had she?—That I did not ascertain.

1077. *Chairman.*] Taking a vessel of 400 tons, she would have 12 seamen according to that proportion; that would be only six in a watch; consequently at night, if the master was at all prudent he would shorten sail, if there was the least appearance of bad weather, and be longer on the voyage if there was nothing but that alone; otherwise he would have all hands working all night, and that would wear out the men?—Yes, that is the case.

1078. Captain *Scobell.*] Your opinion as a sailor is, that less than four men to 100 tons will not answer for a ship in bad weather?—Yes.

1079. By four men to every 100 tons, you mean men that are really employed in the working of the ship, not including cooks, servants, attendants, or stewards for the passengers, or what are called in nautical phraseology "idlers"?—I consider that there should be four seamen to every 100 tons to work the ship; less than that is not sufficient to reef her topsails, and shorten sail.

1080. You said that the passengers would help occasionally?—Yes, the reason I say so is, that I was in a frigate which carried out the 42d regiment to the Duke of Wellington. We had only half our crew, and the soldiers worked as well as the seamen.

1081. We are speaking of the ordinary Irish passengers that go to Australia, or to America; do you think they would help in the working of the ship?—Yes.

1082. That is, in the day time?—Yes.

1083. At night or in bad weather they would not come up?—No.

1084. Passengers would be of no use in those circumstances?—No.

1085. You have spoken of the loss of the "Tayleur," and you said she had three men to the 100 tons, you believed?—Yes.

1086. You are aware that she was a vessel of about 2,000 tons?—Yes.

1087. Now I am going to read an extract from Captain Walker's report, to show you that she had not three men to the 100 tons. "She had on board at the time of sailing 2,516 tons, besides accommodation for 472 passengers, and it will be seen by the evidence of the carpenter that she had heavy masts and yards, to manage which she would have (supposing all to be on duty) only 21 men and boys in a watch." That would be 42 altogether, for a vessel of 2,000 tons, which would be very short of three; it would take 60 men to have three to 100 tons in a ship of 2,000 tons. "When it is remembered that this ship had to go a long voyage, to pass through the tropics, and to encounter bad weather in a high latitude, where, in all probability, some of the men would be on the sick list, I think that three men to the 100 tons, as now calculated, are insufficient." He does not state they were on board the "Tayleur." He, in another place, says there were ten or a dozen attendants on the passengers, and that they were so nominally; that many of them were only paid one shilling a month, in fact, for working their passage out as emigrants, although they turned themselves into attendants on the other emigrants. Calling your attention to that paragraph, do you not see that the "Tayleur" had only 41 men and boys available for the working of the ship, she being about 2,000 tons?—I think that crew was quite inadequate to her working.

1088. You see that is the case, by the paragraph that I have read?—Yes.

1089. You have said that the captain of the ship would be in favour of having more than three to the 100 tons?—I think he would if he had his own choice.

1090. The interest of the owner is to have few men?—Yes.

1091. And the wish of the captain to have a good crew and an efficient one?—Yes.

1092. Do you attribute any part of the indifference of the owner to the number

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of men to the fact that the vessel is usually insured, and that if lost, it is no real loss of money to him?—That would be a hard thing for me to say.

1093. Are they not usually insured?—Yes, fully insured; both cargo, vessel, and freight.

1094. So that if a vessel with a cargo be lost, there is no ultimate loss to the parties who own it?—

1095. Sir *J. Anderson.*] Do you not think that the underwriters would look after that, in order to protect their interest in insuring the vessel?—I think the underwriters, if they really look to their interest, would require stronger crews.

1096. On what do you found your opinion that four men are necessary to the 100 tons?—My knowledge of sea affairs; I have been at sea myself with ships short handed, and others well manned, and I think in any ship such a number would be necessary.

1097. You do not found it on the evil results that have arisen; the number of wrecks and disasters that have occurred in consequence of the crew being inadequate?—I find often, in the ships at Kingstown, that the crews turn out and will not go to sea, because there is a man or two absent. They have represented to myself that the ship was not fit to go to sea; that it had not sufficient men. Perhaps there was only one or two men short, and they then make any excuses rather than go.

1098. It is not from your knowledge of disasters having occurred in consequence of a ship being inadequately manned, that you found your opinion that a greater number is necessary?—I should think that accidents would occur with a short number of hands.

1099. You are not aware of any particular accident?—No.

1100. Captain *Scobell.*] Are you aware, in the report as to the "Tayleur," that there is a statement to this effect; "Certain it is, that during these six hours the crew were employed in reducing sail and taking two reefs in the topsails; that the maintopsail was split, and the ship must have been drifting bodily to leeward; and Mr. Nicholls, an old sailor, one of the passengers, states that the sails were flapping all night." Do you think they could have been a very efficient crew to be six hours taking in two reefs?—No, certainly not; it was a most extraordinary thing.

1101. Have you anything to suggest as to the means by which it could be ascertained before a ship sails, not only what number she has, but the efficiency of the crew; whether they are sailors, half sailors, or no sailors?—At least one-half of the crew should be able seamen, and the rest ordinary seamen.

1102. How is that to be ascertained by the officers whose duty it is to see that the crew is efficient; at present they muster them and ask them questions; have you anything to suggest of a more positive mode of ascertaining whether they are an efficient crew?—There is no way of ascertaining without questioning them, and asking how many years they have been at sea. I should consider no man who has not been at sea six or seven years, an able seaman.

1103. Ordering the men to perform a short evolution; suppose the men are on deck, ordering each of them to go up the rigging and lay out on the yard: would not that be some test whether they were sailors or not?—That is a course I never saw adopted; when men are entered they are generally questioned as to the number of years they have been at sea, and whether they can steer, reef, and splice.

1104. The emigration officer who reports on the efficiency of the crew, should in some way test them by making them go up the rigging, and lay out on the yard, and let the sails fall?—Yes; he could put them to reef topsails.

1105. Would not that be much better than asking questions?—Of course, a much better proof.

1106. It is their interest to make themselves better than they are, sometimes?—Yes; I have no doubt many pass themselves as able men, who are not so.

1107. Would it be a good thing if the captain of each emigrant ship was bound to supply a list of his crew by name, filled up in columns, with how many years at sea, and so forth?—It would be a very good check.

1108. But there is no such check now?—No, I believe not.

1109. As an old sailor, do you think, after all, that one of the main points, if not the main point, is the efficiency of the crew?—And also the vessel itself to be well examined, to see that she is perfectly sound.

1110. The

1110. The soundest vessel, without a good crew, would not be safe?—No.

1111. *Chairman.*] With regard to the regulations as to transports and convict ships, in no case do they accept a tender for a vessel that does not stand at Lloyd's in the diphthong Æ red for troops or convicts, and Æ black for stores?—Yes; that is the last class, black; that is a very inferior vessel. They never take, for convicts or troops, any except a second class.

1112. The classes below those are not taken under any circumstances?—No.

1113. If that be the case with respect to convicts and troops, do you see any reason why it should not be adopted for the safety and comfort of emigrants; is there any reason why emigrant ships should be taken from lower classes?—I think it is more important that the ships taken for emigrants should be of the best class. I do not see that emigrants should be treated worse than convicts.

1114. Can there be any reason, but the unfitness, or uncertainty as to the soundness of the vessels, why the Government do not take vessels from a class below the diphthong Æ?—I believe the Emigration Commissioners take the class that the Admiralty take.

1115. Mr. *Peel.*] Is it not a matter of compulsion with the convict that he leaves his country?—Yes.

1116. Is it not optional with the emigrant whether he goes in one vessel or another?—Unfortunately these inferior vessels are taken up because the emigrant is conveyed a little cheaper; I think cheapness should have nothing to do with it; it should be the business of the authorities to see that the vessel was fit in every way to convey a man and his family safe.

1117. Is it not optional with the emigrant to go with one vessel or another?—An emigrant does not understand the nature of the vessel he is going in; he may go in a sieve; in fact his whole object is cheapness. It is a pity he should be allowed to venture himself and his family in a vessel that is perhaps totally unfit, and that a seaman would not go to sea in.

1118. Do you mean that, under the existing Act, vessels unfit to go to sea leave this country with emigrants on board?—I do.

1119. Under the Passengers Act?—Yes; I consider the "Java" was one.

1120. Do you know any other instances besides the "Java"?—Not exactly by name.

1121. Would you feel justified in saying, from your own knowledge, that vessels totally unfit to proceed to sea do so proceed?—There are vessels sent to Quebec for timber, and these vessels carry out passengers; they return home with timber, and we read continually of their being waterlogged, and the crew in the tops, or deserting them. I think they generally run those vessels till they are lost.

1122. Are you aware that we have had some statistics with respect to the emigration to Canada?—I have not seen them.

1123. Are you aware that the rate of mortality on board emigrant vessels to Canada of late years has not exceeded a half per cent.?—I am not aware of it; if the emigration were carried on in summer time those vessels might go perfectly safe.

1124. Those statistics include the returns of the emigration throughout the whole year, not of the summer merely?—I am not aware of it.

1125. Captain *Scobell.*] You have been reminded that a very small number of lives are lost on the passage; that is, by sickness; but you mean the safety of the vessel and the danger of shipwreck?—I do; I have read of a great number of shipwrecks on the coast of America, and a great number of emigrants being lost.

1126. Mr. *Peel.*] Did you see a return presented to Parliament about two years ago, giving the number of shipwrecks and the number of lives lost for the last five years?—I did not.

1127. It appeared from the return that the number of lives lost by shipwreck was next to nothing?—I read the newspapers, and I see a great number of wrecks, and lives lost.

1128. Sir *T. Herbert.*] These timber ships that you say are so badly found, and inferior in every way to the ships taken up by the Emigration Commissioners; the ships taken up by the Emigration Commissioners are equal to the class taken up for the conveyance of convicts; but you imagine that the timber ships which go out and bring home timber and take out passengers are very

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inferior; not seaworthy in many instances, and have been waterlogged; do you happen to know whether those vessels so taking out passengers are inspected by any agent belonging to the Emigration Board; supposing they take out a dozen passengers, would those vessels be inspected?—They would. There are some very fine vessels that carry passengers to America; they are new vessels, colonial built; but I think when a vessel arrives at ten or a dozen years old, she is an inferior vessel to carry emigrants.

1129. Are those rejected, or have the Emigration Commissioners any control over those vessels?—The Emigration Commissioners only choose vessels of the very best description.

1130. You were mentioning that some of the timber vessels which took out passengers were of a very inferior quality, by which means a great number were lost?—Yes.

1131. Mr. *Peel.*] You were understood to say that you knew that, under the present Passengers Act, many passenger vessels proceed to sea in an unfit state; and that you knew also, that in the emigration to Quebec vessels left this country, and were lost on the passage. Now are you aware, that in seven years ending December 1853, the number of lives lost by shipwreck in all parts of the world, in the case of vessels leaving this country, did not exceed 6-100th parts of an individual per cent.?—That is very small; I was not aware of that.

1132. How do you reconcile that with your own knowledge of the number of vessels lost in the emigration to Quebec which are included in this return; can you give the names of those vessels sent to Quebec for the purpose of loading timber, and carrying emigrants which have been lost?—At present I cannot. I will obtain some names of ships.

1133. Could you furnish the names on another day?—Yes; they sail continually from Dublin with passengers, and they belong to Dublin, and some of the vessels have been lost. The "British Queen," of 534 tons, sailed from Dublin to New York with emigrants, October 1851, was wrecked in Nantucket shoals; the "Jane Watson," of Dublin, was abandoned in her passage home from America in 1852, after landing passengers at New York; the ship "Malabar," of Dublin, was wrecked in 1852 in her passage home, after landing emigrants at New York; the ship "Wave" was also recently abandoned at sea, 1854, timber laden, usually taking emigrants, but not this voyage.

1134. Sir *T. Herbert.*] Had they all been inspected?—Yes; they have been generally lost on the return voyage with timber.

1135. Mr. *Peel.*] You say that those vessels have been lost on the return voyage?—Yes.

1136. The question is with reference, not to the safety of merchant vessels, but the safety of emigration vessels only?—I could find out what vessels have been lost on the coast of America.

1137. With emigrants on board; we have nothing at all to do with common merchant vessels, but vessels carrying emigrants?—Those timber vessels are generally fitted up for emigrants, and then they load timber and come home; I think vessels which are employed in that manner are not vessels which should be employed in carrying emigrants.

1138. *Chairman.*] Originally they are of a class lower than the Emigration Commissioners take for that purpose?—Some of them are and some of them are not. Some of them are newly-built vessels.

1139. These questions have many of them been asked from your recommendation that the lowest class of vessels should not be allowed to take emigrants. What is the reason of the classification at Lloyd's; is it not for the purpose of giving the public some means of judging of the seaworthiness of vessels?—It is.

1140. Otherwise it would be a useless formality?—Yes.

1141. The two first classes at Lloyd's are considered seaworthy; the lower classes are doubtful vessels?—Yes; and there is a higher rate of insurance charged for them.

1142. But supposing that within any certain period, even with vessels in a doubtful state, that there has not been the loss of a single life, is that any reason why precautions should not be taken with a vessel which is in a doubtful state. Supposing the loss of life had been so little as that which has been stated, or none at all, is that any reason why we should not take security against the employment of unfit vessels?—I think the vessels should be good, for if they

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are not, and they strike on a bank or a rock, they go to pieces immediately, and may sacrifice all the lives in the ship.

1143. If they struck they would soon beat to pieces?—If they are well built vessels they will stand beating and thumping before they are wrecked.

1144. In making the passage to America in winter against a heavy head sea, a vessel will strain, and labour, and open, and a vessel of a lower class will do that sooner than a vessel of a higher class?—Yes.

1145. For these vessels, which are originally of a low class, and therefore doubtful as to their seaworthiness, timber is a peculiarly unfit cargo, and, of course, in the vessels employed in the timber trade, the timber works them so much on their return passage, that they are still more unfitted to take out passengers?—If they are caught in a gale of wind they are strained very much by carrying timber.

1146. Being in a lower class originally, they are therefore less seaworthy than others, and being strained by carrying timber, are those fit vessels to employ afterwards in taking emigrants out?—I think not, except in summer time.

1147. Mr. *Peel.*] But you know they are employed?—Yes, both winter and summer.

1148. *Chairman.*] Are you aware that although the actual proportionate estimate of deaths may be very low, yet that is because the number of passengers who have gone out has been enormously great?—It surprises me that there are so few per cent. that have been wrecked.

1149. According to the accounts in the newspapers there is every appearance of there being a larger proportion?—I think so.

1150. Mr. *Peel.*] You see that the per-centage has been struck upon an enormous number of emigrants?—Yes.

1151. Mr. *Meagher.*] Are you aware of the number on which that average has been struck?—I am not exactly aware of the amount.

1152. Mr. *Hamilton.*] Can you tell the number of vessels that were wrecked on which that average was founded?—No, I am not aware.

1153. Mr. *Peel.*] When you are told that the number of passengers exceeded 2,300,000, and the number of ships amounted to 11,968, the returns given must be correct, and unaffected by accidental causes; and 1,500 was the number of lives lost in that time?—It is very small.

1154. Captain *Scobell.*] That is merely the rate of passengers. You are aware that if an emigrant ship, laden with human beings, is lost, such as the "Annie Jane" and the "Tayleur," that that swells the average much more than any other class of vessel?—It does; it certainly appears a most satisfactory statement that the loss is really comparatively small on such a number.

1155. Mr. *Peel.*] Conflicting with your own knowledge or impression on the subject?—My attention has been merely fixed by newspaper reports on vessels being wrecked, with a large number of passengers on board, and a dreadful catastrophe occurring. I was not aware that the proportion was so small on such a number.

1156. Mr. *Liddell.*] In fact, it is a matter of surprise to you, from your knowledge of the condition in which these ships start, that the losses and casualties have been so few?—So small.

1157. Mr. *Hamilton.*] Does that, in your opinion, go to prove that of those losses and casualties many may have taken place in consequence of the vessels not being seaworthy?—I think, although the proportion is so small, it might be much lessened by precautions being taken.

1158. Mr. *Meagher.*] Do you infer that this per-centage occurs in consequence of the loss of 1,500 lives spread over seven years; may not these 1,500 lives have been all lost in one year of the seven?—Of course they may.

1159. Sir *T. Herbert.*] Look at the table, and see whether any others are among the number? (*A Document was handed to the Witness.*)—I do not think any of those were lost. The "Wave" was lost the other day; she is not in this list.

1160. That includes the year 1852?—I think there were two other ships that were lost.

1161. Mr. *M. Milnes.*] Is it your impression that there is a considerably greater loss of life from different causes, on board emigrant vessels, than in the

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general proportion of ships that sail?—No, I do not think there is; in the general trade there is an immense loss of ships, unaccountable almost.

1162. You do not think that the loss of emigrant ships is greater in proportion than that of others?—No, I do not.

1163. Do you think that the loss of life on board emigrant ships is greater in proportion than the loss of life on board other ships?—By sickness?

1164. By sickness and other causes?—There has been a great number of persons lost by sickness on the voyage to America, and also to Australia.

1165. Mr. *Peel.*] Do you only speak from conjecture?—From what I see stated in the papers.

1166. Mr. *M. Milnes.*] Have you ever seen any average drawn out as to the proportion of deaths in emigrant vessels in comparison with that in other vessels?—No, I have not.

1167. *Chairman.*] You have been asked, as a matter of opinion, whether, as convicts are compelled to go, and emigrants go of their own free will, it will be necessary to insist on as high a class of vessels at Lloyd's as for the first; ought not the lives of persons who have committed no offence, and have no means of judging for themselves of the seaworthiness of a vessel, to be protected by a regulation, not allowing the emigration agent to clear any vessel for sea which is classed lower than a convict ship or Australian emigration ships?—I think it is the duty of the Government to see to that.

1168. Captain *Scobell.*] You think that of all cargoes a cargo of human beings is the most precious?—Yes, certainly.

1169. And, whatever precautions are necessary for every other kind of cargo, that that cargo ought to have the most attention?—Decidedly.

1170. Mr. *Peel.*] Are you not aware that it has most attention, under the Passengers Act?—I think the case of the "Java" is a case in point; she was an old American ship, fifteen years old, and totally unfit. I would not send cattle in her.

1171. Captain *Scobell.*] The ordinary emigrant ships are not of that high class that the ordinary convict ships are?—They are not.

1172. Are you not of opinion that a cargo of human beings should have the best class of ships?—Yes.

1173. Mr. *Peel.*] Do convict vessels sail from Dublin?—They do not sail so often now as they did.

1174. Do they sail at all now?—Yes, female convict ships.

1175. How long ago is it since a female convict ship left Dublin?—Two ships in the year 1852.

1176. Going to where?—To Van Dieman's Land.

1177. Did a convict vessel, with female convicts on board, leave Dublin for Sydney within the last three months?—Not any. On the 2d June 1853, the ship "Phœbe Dunbar," 704 tons, with 295 male convicts for Freemantle, Western Australia; and one or two sailed from Cork.

1178. Are you aware that the transportation of convicts to New South Wales has been discontinued for several years?—Not females.

1179. Females as well as males?—Females have sailed during the last two years; not less than four vessels sailed last and previous year from Kingstown with females and males.

1180. Are you not aware that the transportation of male and female convicts to New South Wales has ceased for many years?—The transportation of female convicts has not ceased, certainly.

1181. Mr. *Hamilton.*] In point of fact, have you visited convict vessels, with females on board going to Sydney, in Kingstown Harbour?—Yes.

1182. Mr. *Meagher.*] You were under the impression that she was going to Sydney, when she might have been going to Van Diemen's Land?—I understood, from the agent on board, that Sydney was her destination.

1183. Sydney might have been her destination, but the destination of the convicts must have been Van Dieman's Land?—Yes.

1184. *Chairman.*] Do you recollect a convict ship last summer in Kingstown Harbour?—There was one male convict ship.

1185. It will be recalled to your recollection by the fact, that the guard on board her were pensioners, who were allowed to settle out in Australia with their wives and families; was that a male or female convict ship?—That was a male convict ship; they do not take any guard in a female convict ship.

1186. Mr.

1186. Mr. *Peel.*] Will you give the names of the two female convict ships?—It was in 1852; the ships' names are, the "Martin Luther," of 400 tons, with 212 female convicts, and "Midlothian," 414 tons, with 170 female convicts for Van Dieman's Land.

1187. Can you give the name of neither of them now?—I have the record of them at Kingstown.

1188-9. Did they leave Dublin within the last four months; since the commencement of this year?—No, in 1852.

1190. *Chairman.*] With regard to the "Robert Kelly," which was wrecked the other day on the Arklow Bank, and was brought into Kingstown in a sinking condition; you went down to her in discharge of your duty?—I did, to save the lives of the emigrants.

1191. You were on board her?—Yes.

1192. Can you state whether the requisitions of the Passengers Act were complied with on board of her?—She appeared a very fine ship, and the accommodation was better than that of the "Java;" she had two decks for passengers, and they were seven feet high.

1193. Were the decks laid and caulked?—Yes; and the berths were six feet long, by two feet ten inches wide.

1194. With respect to two decks; do you not think that having passengers on two decks, if it were nothing but the vapour and steam arising from the lower deck, that it must be injurious to the passengers on the deck above?—Of course, the ventilation is not so good below as on the upper deck, and particularly in that vessel; she had scuttles fore and aft to let in the air on the main deck, which on the lower deck they had not.

1195. What is your opinion about having passengers on two decks?—Large ships of her size, 1,131 tons, might be allowed to take passengers on the lower deck; but there should be proper windsails down the hatchways.

1196. Is it not the case when they get into bad weather that these hatchways are battened down?—In a gale of wind they must be battened down.

1197. Some of the American vessels have a description of hurricane house built over the hatchway?—Yes; that would be an improvement certainly, so that the spray of the sea would not be allowed to go down in a gale of wind; and they might be made for air to pass up and down as freely as if the hatchway were open.

1198. Something in the nature of a booby-hatch over the hatchway?—Yes.

1199. Mr. *Meagher.*] How many emigrants were on board that vessel?—between 500 and 600.

1200. *Chairman.*] Did anything strike you with regard to that vessel which would form the groundwork of a recommendation for an alteration in the law, or did you think the existing law was violated in any way?—I do not say the law was violated; but I think these large vessels sailing from Liverpool should have a pilot on board as far as Cork. I do not think they know anything of our Channel, or, in fact, take proper precautions to keep their reckoning and position at all times.

1201. It is a very dangerous line of coast from Dublin to Arklow?—Yes.

1202. Mr. *Peel.*] Would you give a special protection to these large ships?—A special protection. Men-of-war leaving Kingstown often ask me for a pilot to take them to Cork.

1203. Do you confine your recommendation as to pilots to these large ships?—These very large vessels, because the captains do not know where they are; the sets of the tide, too, causes them to be out of their reckoning.

1204. *Chairman.*] Was not the case of the "Tayleur" a glaring case in point?—I think so; and that of the "Robert Kelly," which ran ashore at six o'clock of a fine evening.

1205. Mr. *Peel.*] Does your recommendation extend to all emigrant vessels?—Yes, all emigrant ships.

1206. Sir *T. Herbert.*] Where would you land your pilots?—At Cork; or they might put them on board some ships that they would meet in the Channel. I think that many old masters of vessels, who have been in the habit of coasting, would make excellent pilots. If a man-of-war, which has the best of navigators on board, think it necessary to take a pilot to Cork for the preservation of the vessel, I do not see why an emigration vessel should not do the same.

1207. In going from Cork to Bristol, is not the navigation of the Bristol

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Channel a very difficult one?—A vessel sailing from Bristol should have a pilot also to take them down. I think the Arklow, Kish, and Black Water Banks are most dangerous; if a vessel runs on those banks the captain does not see the land, and in thick weather he does not know where he is. It is stated that the captain of the "Tayleur" supposed himself more to the southward than he really was; if he had been more to the southward not one single person would have been saved; she would have gone on the Arklow Bank. I recollect the day; the weather was very thick, wind south and south south-west, and if he had been further to the southward he would not have seen any land, and would have gone on the bank.

1208. Captain *Scobell.*] You remember that in the report of the "Tayleur" it is stated, that she had never been to sea before?—Yes.

1209. Would it not be a wise regulation to enact by law that no vessel should become an emigration vessel that had not been tried at sea, or her qualities proved by a voyage of any limited number of miles?—It certainly would be an improvement to run her across from Liverpool to Kingstown, as they try steam-vessels now; it would be a very great improvement, but it is not absolutely necessary.

1210. It was said she would not wear; that they did not know what sort of vessel she was until they had the emigrants on board. In all instances would it not be wise to insist that all vessels should be tried before they take a cargo of human beings on board?—The only objection to it is that it would incur a great deal of insurance; the insurance offices would require an insurance on that voyage in addition to her intended voyage.

1211. She might go any voyage she pleased with a cargo of merchandise, but not with emigrants?—That would put the owners to considerable expense in the voyage. She would run from Liverpool to Kingstown with her cargo on board, and she would have to pay insurance.

1212. She might make her first voyage to Lisbon or Gibraltar with her cargo as a merchant vessel, but she should not become an emigrant vessel until she had proved herself seaworthy?—I do not think that is necessary; because a man-of-war is fitted out at once from the dock, and she sails on her voyage.

1213. Do you recollect that the "Tayleur," which was as fine a looking ship as could possibly be turned out, would not wear in an hour; and that it would take four or five miles space for her to wear, according to the evidence?—The captain should have returned to port instantly when he found his ship would not work; he should have gone back.

1214. It is stated in the evidence that the vessel was comparatively unmanageable; to guard against such accidents, would it not be wise that vessels should be proved to be seaworthy before they took a cargo of emigrants?—It would be very advisable.

1215. Mr. *Liddell.*] Did you give it as your opinion, that if the Liverpool pilot had remained on board the "Tayleur" she would have been saved from that disaster?—A coasting pilot would have known the land immediately he saw it. Supposing the vessel had stood on and made Lambay, he would at once have known the appearance of Lambay, and would have directed the captain what to do.

1216. Is it not stated that Captain Noble had made that voyage a great many times before, and was supposed to be perfectly well acquainted with the coast?—He declared he did not know what land it was, when he saw it.

1217. Does it follow that a coasting pilot would have known it better?—I think a coasting pilot would have known every bit of the Irish coast. He would know Lambay instantly. If I had been on board that ship I should have known Lambay.

1218. Pilots can make mistakes as well as captains?—Yes.

1219. What do you think of the loss of the "Olinda"?—That was a bad business.

1220. *Chairman.*] Do you think any Channel pilot would have held 14 hours on one tack, taking into account the wind and weather he had, and knowing the dangers on the other side?—I think not.

1221. Captain *Scobell.*] It is quite clear that with Ireland right ahead, if you stand on long enough, you will run against it?—Yes.

1222. Mr. *Liddell.*] You were understood to say that if the captain had stood on in the same course, and not wore his ship, she would then have been run on the

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the bank and not on the rocks?—I think the captain was wrong in attempting to wear his ship; I think he lost his ship in attempting to wear her, he should have stood on, on the tack he was, and set his square mainsail. If there had been a pilot on board the ship, the ship would have tacked between Ireland's Eye and Lambay, where he would have had smooth water to tack his ship in; but by attempting to wear where he knew she would not wear, he actually run her on the island. She was 15 minutes going off one point, and she actually run upon the land in that time.

1223. Were you understood rightly to say that if the captain had persevered in his course, and not wore his ship, that he would then have run her on the banks, and not the rocks?—No, when the land was first seen on the lee bow, he had his foresail and his three topsails set; and if he had set his mainsail, and then attempted to tack his ship, I think she would have tacked, and if she had not tacked he should have immediately hauled up his courses and thrown his fore and main topsails aback, and let her drift to leeward of Lambay Island; and then, when he had sufficient room, wear his ship by taking all after sail off her, and setting jib and foresail; and I would have cut away mizen-mast to make her answer her weather helm, and then have returned to Liverpool.

1224. *Chairman.*] The question refers to a former answer of yours in which you stated, as you were then understood, that if the captain had been on the course which he imagined he was on, he would have got upon the Kish, or some of the other banks?—He considered he was near Wicklow Head; if he had been as far as that to the southward, he would have been upon the Arklow Bank or the Kish Bank.

1225. As to the sufferings of emigrants, who either take their passages for themselves or have their passages taken for them by their friends in America, and part of which passage-money includes a passage on the deck of a steamer across Channel, do you know anything of the manner in which they are stowed on the decks of the steamers leaving Dublin?—I do; of a bad night they suffer a great deal.

1226. The Board of Trade, under the Steamers Act of 1851, has a power in the certificate they issue to their surveyors to restrict the number of passengers; have you seen any instance of the instructions applied?—Yes.

1227. Have you also seen instances where that restriction did not appear to you to be observed?—I cannot say that I have. The passengers generally embark from Dublin; I am not present on the quays; at Kingstown they do not exceed their number.

1228. Can you answer as to their number?—No.

1229. You have no personal knowledge of the sufferings of the emigrants, or whether there is any arrangement for covering them with tarpaulin, or giving them other shelter?—They endeavour to give them accommodation below, in the engine-room and the hold, but it is not sufficient; they suffer very much on a bad night.

1230. Is there any other matter in the interests of humanity that you would wish to mention as a suggestion for alteration in the Passengers Act?—My principal suggestion would be that emigration vessels should not sail for America during the winter months, and also that they should be compelled to take pilots from Liverpool down to Cork.

1231. Mr. *Meagher.*] Could a sufficient number of pilots be met with in Liverpool to meet the exigencies of all the emigrant ships?—I think when it was known that those men would be employed, a great number of coasting captains would offer themselves.

1232. At present there would not be a sufficient number?—It depends entirely on what number of ships would sail in the course of a month.

1233. *Chairman.*] Would this be a sufficient regulation, which is the regulation that prevails on board steamers, that the master or one of the mates should be obliged to be a branch pilot?—I think there would be considerable difficulty in making that arrangement.

1234. Mr. *Peel.*] You were understood to say that the only particular in which you think the Passengers Act requires to be amended is, that no emigration vessels should be allowed to leave this country in the winter months?—I mean to America; vessels might leave for Australia in the winter months.

1235. What emigration takes place to Canada in the winter months?—I have seen several vessels sail for St. John's and New York in the winter months.

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1236. For Canada?—I have seen them sail in October.

1237. Would you prohibit an emigrant from leaving this country if he wished to go in the winter months?—That of course might be a very arbitrary law.

1238. But you are prepared to recommend that course?—For the preservation of themselves, I think it would be prudent.

1239. By any vessels?—No; the large steamers are perfectly safe.

1240. You would except them?—I mean only sailing vessels.

1241. You would not allow any sailing vessels to leave with emigrants in the winter months?—No.

1242. Mr. *Meagher.*] Do you think, if they were provided with a more efficient crew, they might be allowed to go?—If they were provided with pilots, and four men to each 100 tons, it would be much safer.

1243. Mr. *Peel.*] From what month to what month would you propose to stop all emigration to America?—From October to the end of March.

1244. Captain *Scobell.*] That is, supposing they are not better found than at present?—Yes.

1245. If the regulation was, that they should take four efficient men to the 100 tons, and they added a pilot, as you propose, should you then still make the suggestion that they should not sail in the winter?—I would prefer that they should not.

1246. It would not be so imperative in your mind then?—No.

1247. Sir *T. Herbert.*] If they had a double crew (that is, three to the 100 tons in the summer), they would require at least six in the winter?—They would require four or five to every 100 tons in the winter.

1248. Mr. *Peel.*] Are you aware that the great mortality in the emigration to the United States last year was understood to have taken place in vessels that left this country before the month of October?—In the summer months, I dare say, disease would be more prevalent.

1249. Would you, on that account, have any suspension of emigration in the summer months?—No; that is caused by want of cleanliness. I see the greatest want of cleanliness in those vessels; they are all filthy. In the "Java," they had no table for the people to mess on, and no tubs or buckets to receive anything below.

1250. You were understood to suggest a prohibition of emigration in the winter months from this country on the ground of the risk of shipwreck?—Yes.

1251. Notwithstanding that you have heard there have been hardly any ships lost, or any loss of life from shipwreck in the last seven years?—I am certainly very much gratified. This winter there is the "Tayleur," and the "Robert Kelly" the other day was on the bank. If it had been blowing a south-west gale, that vessel would have gone to pieces. Then there was the "Eva," another vessel, that broke in half; she had 14 on board, and eight of them were lost.

1252. You adhere to the opinion you have expressed, notwithstanding the facts disclosed in the statistics which have been read to you?—I do.

1253. Mr. *Hamilton.*] Do you consider a loss of life amounting to 1,500 can be described as hardly any loss of life, even although the average may be very small as compared with the number of the passengers?—I should think that the wrecks which have taken place this last winter alone would make imperative some alteration.

1254. Mr. *Peel.*] You were understood to say that you would not stop emigration to Australia, on which voyage some of the mortality takes place?—No; because they soon get into fine weather, and change their climate immediately.

1255. Mr. *Meagher.*] Is not the danger of the Channel the same, whether they are going to Australia or America?—In the winter months it is, and I would have an increase of crew and a pilot.

1256. Mr. *Peel.*] Is that the only recommendation which you have to make with regard to any amendment in the present law?—I should recommend that the berthing of passengers below should be fitted up in quite a different manner. I think it is most indecent to have four persons sleeping in a compartment of six feet by six feet; they have not more than their coffin.

1257. *Chairman.*] You were understood to recommend that vessels should be taken from as high a class as the Emigration Commissioners' vessels?—Yes.

1258. And

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1258. And that the decks should be properly caulked?—Yes, and that there should be a partition to all the berths, and that they should have two feet instead of 18 inches.

1259. And you recommend that there should be four seamen to every 100 tons?—Yes.

1260. And that there should be pilots to Cork?—Yes.

1261. And you recommend that the American emigration should stop from October to the end of March?—Yes.

1262. And that water-closets should be between decks?—Yes.

1263. And you see no difficulty in the plan I have mentioned, of having tanks filled with sea water?—No.

1264. Mr. *Peel.*] Your conclusions in those respects are founded upon an inspection of six vessels in the last 18 months?—I have been inspecting vessels these 30 years.

1265. But under the present law, which has greatly improved the arrangements made for the safety and comfort of emigrants, you have only inspected six vessels?—Yes.

1266. Your recommendations are with reference to this Act?—Yes.

1267. Not with reference to any old Act repealed or amended?—No.

1268. And you have only inspected six vessels under that Act?—That is all.

1269. *Chairman.*] In the particulars that you have noticed under the present Act, are there not the same defects that have existed before?—In the way a vessel is fitted out now, every advantage is taken of the regulations; they are fitted out in a slovenly, cheap manner, when I contrast them with the convict vessels, which are admirably fitted out, and are a fulfilment of the contract; yet in emigration ships, although it is fulfilled, it is done in a rough, slovenly manner.

1270. Mr. *Peel.*] Drawing conclusions from the six vessels which you have inspected?—Yes.

1271. Captain *Scobell.*] The Act has been passed 21 months, and you have only inspected six vessels in that time?—I could have inspected a greater number. I have been 30 years harbour master at Kingstown, and have been on board hundreds of vessels.

1272. Mr. *Peel.*] But this Act has only been passed 18 months?—If I take the "Java" and the "Robert Kelly," which two vessels I examined only three days ago, I should say they were very defective.

1273. Are not those exceptional cases?—The "Robert Kelly" is a very fair case.

1274. And the "Java"?—That is an exceptional case.

1275. Is that a fair specimen of what the emigration is from Dublin?—Yes, think it is a fair specimen of what the emigration from Dublin is.

1276. Do you think the emigration from other ports of the United Kingdom is as bad?—No, from Liverpool it is better.

1277. From other ports in Ireland?—From other ports in Ireland I should think it is as bad as from Dublin.

1278. *Chairman.*] Do you think if there were a depôt in Cork where the Irish emigrants, instead of having to make the Channel passage to Liverpool, might remain until the vessel called for them at Cork, that would be an advantage?—It would be a very desirable thing to arrange that, because it now puts them to very considerable expense.

1279. Are they not now subject to considerable expense in making the Channel passage?—The passage is cheaper from Liverpool; so that by going from Liverpool they get a cheaper passage than by sailing from Dublin.

1280. Then they are detained some days in Liverpool in low lodging-houses, where they spend a great deal of their money?—It is desirable that they should not have to make the passage at all; that they should be carried straight from Ireland.

1281. Mr. *C. Fortescue.*] Did you observe many things on board those ships which you think the emigration officer ought to have objected to, as not being in conformity with the letter or spirit of the Passengers Act?—I did not; it struck me that the vessel had complied with the Act in every particular, but in slovenly cheap way.

1282. Mr. *Peel.*] Notwithstanding that she was unseaworthy?—That is merely a matter of opinion. Surveyors surveyed that vessel, and found that she was tight in every respect, and what they considered a seaworthy vessel. I do not consider

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consider a vessel 15 years old, built in the colonies, a seaworthy vessel. I therefore recommend that Lloyd's surveyor and a master shipwright should survey all emigrant ships before the emigration agent shows them to advantage for the purpose.

1283. Do you consider vessels built in the colonies less seaworthy than other vessels?—I do; they are not of the particular kind of timber that other vessels are built with; they decay sooner.

1284. Are you not aware that vessels built in New Brunswick are considered very fine?—They are very good for ten years.

1285. Mr. *Meagher.*] What is the difference between a British ship and an American ship?—The British ships are built of oak and elm, and American ships of elm and fir.

1286. Mr. *Liddell.*] Are the colonial vessels rated at Lloyd's as first-class vessels?—Yes, some of them.

1287. Mr. *Peel.*] Were not the "Marco Polo," and the other sailing-vessels which made remarkably short voyages, New Brunswick vessels?—Yes.

1288. And those voyages have raised the reputation of those vessels very much?—Yes, but they deteriorate by age in a very short time; their timber is nothing but fir, and the frame is made of that also, and black birch, &c.

1289. You would not propose to exclude colonial-built vessels from the trade?—Nothing under 10 years old.

1290. Mr. *Meagher.*] Do you consider that a New Brunswick or Canadian vessel at 10 years' old is not better than a British-built vessel at 15?—I should consider that a British vessel of 20 or 25 years is better.

1291. *Chairman.*] Although a colonial ship may be rated first class at Lloyd's, after 10 years she loses that rating?—There is a vessel gone from Bristol of no class.

1292. Captain *Scobell.*] What is the usual price of an adult emigrant per head now to go to America from Liverpool?—£. 3, the mate of a vessel told me the other day; from Dublin they pay 4*l.* 10*s.*, and 5*l.* and 6*l.* in steerage.

1293. Mr. *Peel.*] Supposing your suggestion were adopted, and that there was required to be on board of these emigrant vessels a crew in the proportion of four instead of three to every 100 tons, what would be the rise in the cost of the passage in consequence?—The rise would be something trifling: but I think it would be a great deal better for the emigrant to pay that than run the risk he does at present.

1294. Would it raise a passage costing 3*l.* by 5*s.*?—It would perhaps be 10*s.*

1295. *Chairman.*] On the whole number of emigrants, 10 *s.* a head?—If they were to fit the vessels in the way I suggest.

1296. Mr. *Peel.*] Of course, if your suggestion were adopted of prohibiting any emigrants leaving this country except in the summer months, the rate of passage would be raised still greater in consequence of the more than ordinary demand for vessels, for emigrant vessels would be taken only up during half the year instead of the whole year?—There is a great deal of emigration takes place from Liverpool to New York in the winter.

1297. But that emigration would take place in the summer months according to your proposal?—It would.

1298. That would tend to enhance the expense of crossing the Atlantic?—I do not consider the expense anything when put in comparison with the safety of life.

1299. Mr. *Meagher.*] It does not necessarily follow that the expense of a passage should be raised; it may be met by a reduction of the profits at present made by carrying emigrants?—The passage would be shorter, and by that means the merchant would make it up; sometimes the passage in winter takes a long time.

1300. Captain *Scobell.*] You have said that 10*s.* would be about the increase per head, and you consider that the expense of a vessel would be no more; the rigging, and stores, and provisions to the merchant would not be increased at all by having four men to a hundred tons, instead of three; it would be only a man in a hundred tons, therefore do you not think you have over-estimated the expense of 10*s.* a head?—I have estimated the expense of a couple of pilots; there should be one, watch and watch.

1301–3. Sir *T. Herbert.*] An emigrant leaving Liverpool for America, you say, costs about 3*l.*?—By the "Robert Kelly" they charged 3*l.* a head, and from Dublin 4*l.* 10*s.*

1304. The

1304. The Irish emigrant is obliged to pay 4*l.* 10*s.*?—From Dublin, by the "Java," they charged 4*l.* 10*s.* There is another thing in the "Java;" her cooking places were built of brick, enclosed in a thin frame of wood, so that if she shipped a sea the whole would be extinguished at once. Lieut. *Hutchison*, R.N. 23 March 1854.

1305. Captain *Scobell.*] Must there not have been danger from fire from the hot bricks?—Yes; she had two of these placed on each side; there was a boiler put in one of them, which I thought totally inadequate to supply the people with food.

1306. Taking the "Java" as an instance, are there some emigrant vessels so situated as to try to do it as cheaply as possible, and is that carried so far that risk of life is endangered?—Risk of life and the comfort of passengers; all the luggage of the passengers of the "Java" was on deck, so that if the vessel came to roll in a gale of wind, the chests and everything would be tumbling about on their legs.

1307. Mr. *Meagher.*] What has detained the "Java" so long at Kingstown?—She had a fair wind; I do not know what detained her; she came there on the 17th, and I left her on the evening before last, although the wind was fair the day after she came down. It blew rather fresh, and the steam-tug could not tow her out, but the following day there was nothing to prevent her going.

Mr. *Sylvester Redmond*, called in; and Examined.

1308. *Chairman.*] YOU reside at Liverpool?—Yes. Mr. *S. Redmond.*

1309. Have you been long there?—I have resided in Liverpool since November 1850, with the exception of three months in the summer of 1851.

1310. Have you had opportunities of informing yourself as to the emigration taking place from that port?—Very great opportunities.

1311. Captain *Scobell.*] Both as to the Australian and the American emigration?—Both.

1312. What is your occupation?—A newspaper reporter and correspondent; and I live by my literary exertions also.

1313. *Chairman.*] Have you made it a special object to inform yourself on this subject?—I have, for two reasons.

1314. State them?—First, from inclination; and, secondly, from duty to my profession, as I am connected with the London, American, Dublin and Liverpool press.

1315. Have you particularly paid attention to the working of the new Act, which has been in operation for the last 18 months?—I have.

1316. Confine yourself to that Act, because you will not be asked any question which goes beyond that Act; have you been on board vessels yourself in that period of 18 months?—Almost daily, and very often more than once a day.

1317. Have you gone through them?—Yes.

1318. You have examined them with the objects which you have already expressed?—Yes.

1319. What is the general impression now that is given to you?—If you will examine me upon the clauses of the Act of Parliament which I have marked, perhaps it will be in a more consecutive form; section 15 is the first.

1320. In what respect do you consider evidence with regard to that clause will bear on this inquiry?—I am going to state some facts in reference to it, or, rather, two or three facts; one of which is, that there were some parties who are called in technical language "stowaways" beaten or treated so badly by the captains or persons connected with the ships, that they died.

1321. Mr. *Hamilton.*] You have known instances in which parties, contrary to the 15th section, have been found on board vessels, stowed away?—I have.

1322. Mr. *Meagher.*] Has it occurred to you what remedy there could be for that; by what mode could the captain prevent those persons getting on board?—I do not think he could prevent it at all. I have known persons stowed in ships where the utmost diligence was exercised in order to discover if there were any stowaways on board, and notwithstanding that, they have been found afterwards.

1323. Captain *Scobell.*] The effect of that is, that the vessel has more passengers than allowed by law?—That would not necessarily follow, because she might not have her full quantity; if she had her full quantity, and persons

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stowed away, she would have more than she is authorised to carry by the Act.

1324. *Chairman.*] Go now to the 17th section?—The last two lines, "The height between any deck on which passengers are carried and the deck immediately above it shall not be less than six feet."

1325. What evidence do you wish to give on that?—I have never known a case in which they have observed this very tightly. The beams that Lieutenant Hutchison alluded to are not all six feet from the other deck. When I am with my hat on I do not think I am six feet, and I never could walk under the beams without breaking my hat if I walked upright. With that exception, the Act is fulfilled.

1326. The Act does not specify that it should be six feet clear under the beams?—No.

1327. What is the next section?—Section 19.

1328. Has that been carried out?—In reference to American ships this is an important clause of the Act, to my mind, and it is very shamefully neglected.

1329. Mr. *Meagher.*] American ships, or ships bound to America?—I mean American and British ships carrying emigrants to the States and to Canada.

1330. *Chairman.*] Have you seen that provision of a well-fitted bulkhead forward carried out?—I have in Australian ships.

1331. But have you seen it in American ships, or ships for the Atlantic passage?—I have not generally; more than 50 per cent. of the ships do not observe it.

1332. Within the last year and a half?—Within the last year and a half. Perhaps it would be right for me to explain the way that the vessels are circumstanced in that respect; the fore part of the ship goes in an angle, at each side of these there are berths; perhaps they are not, properly speaking, berths, they are sleeping places, and they are laid down the same as if they were laid on this table, with boards dividing each person; there is no covering between the further side and the other side, no up-and-down board whatever; the males are generally, certainly, on one side, and the females on the other, but there is nothing whatever to separate them.

1333–4. That is the case in 50 per cent. of the vessels you have seen during the last 18 months?—Yes.

1335. *Chairman.*] In what respect, and in what way?—The married people are in berths that are protected by up-and-down boards, and passengers who pay a larger price than those who are in these particular berths; these are the lowest price berths that passengers have in ships.

1336. Mr. *Peel.*] Do you mean, that in those vessels the single men were not separated from the rest of the passengers?—They are.

1337–8. Effectually separated?—No, not effectually separated. What do you mean by "effectually"?

1339. Mr. *Meagher.*] Do you mean that there are separate berths, but no division beyond the mere berths?—Precisely.

1340. They can see and speak to each other?—Yes. If a tier of berths were laid down on that side of this room, and another on the other side without any wall or sheet, that would represent it exactly.

1341. *Chairman.*] In some places there are two tiers of berths?—In this particular place there are but two tiers of berths.

1342. You speak of between decks?—I do.

1343. Mr. *Liddell.*] You mean, that the berths of the men are on the right hand, and the berths of the females on the left hand side of the ship, and that there are no partitions whatever between the parties?—None.

1344. *Chairman.*] But that married couples are in enclosed berths?—Yes, and they pay a higher price.

1345. Mr. *Meagher.*] Are there females in the fore part of the ship as well as unmarried men?—Yes, of that class of passengers.

1346. Captain *Scobell.*] The lower class of passengers?—The passengers who pay the least money.

1347. *Chairman.*] Have you seen whether they put more than two passengers in the same berth?—In the sleeping places; because there might be a difference in what I call a berth, and what the Committee understand as one.

1348. A berth should be 6 feet in length and 18 inches in width for each adult, that is three feet in width for two adults?—I think that is complied with.

1349. And

1349. And not exceeded?—No, I never saw it.

1350. Mr. *Liddell.*] The definition of a berth is 6 feet long and 18 inches wide?—Yes, according to that Act; that is the place I call a sleeping place, but berths are those that contain four of those sleeping places.

1351. Mr. *Meagher.*] The best name to give them would be cabins?—Very well.

1352. *Chairman.*] You were speaking of berths as defined by the Passengers Act?—Yes.

1353. Mr. *Peel.*] Do you say, that in the vessels you have had an opportunity of seeing, more than two persons, not being members of the same family, have been placed in the same berth?—Not in sleeping berths.

1354. Therefore in that respect the Act has been complied with?—Fully, to the letter.

1355. Do you complain of the existing provisions of the law?—Yes; I complain of it in the 18th section.

1356. In what respect?—With respect to the males and females.

1357. Not being separated?—Yes.

1358. But you have no suggestion to make with respect to the manner in which the passengers are berthed, except that the Act should be carried out, in so far as it directs that the space in which the single men are berthed should be separated from the rest of the ship by a division?—In Australian ships, as I said before, the provisions of the section are carried out better than in American ships; but at the same time I think there is a complaint to be made, because, although they are boarded off in sleeping places from females, yet there is no prevention of unlimited intercourse, except you lock up the doors.

1359. *Chairman.*] There is no such thing as a bulkhead, or a piece of up-and-down planking between them?—Not in American ships, but in Australian ships there is.

1360. Captain *Scobell.*] State the deficiency of the American ships?—At all events they would be more decently fitted up if they were fitted up as Australian ships; there could not be a doubt at all about that.

1361. Mr. *Meagher.*] But the Australian ships might be more perfect than they are, in that respect?—Yes.

1362. Mr. *Peel.*] The Act limits two persons being placed in the same berth?—In a sleeping berth.

1363. But not two persons of different sexes, above the age of 14, unless husband and wife?—I do not think they do.

1364. As far as this 19th section is concerned, your only remark is, that it has not been carried out in that part of it which directs that the single men shall be separated effectually from the rest of the passengers?—That is all.

1365. Mr. *Liddell.*] Is it your belief that indiscriminate intercourse takes place between the males and females during the voyage?—In that part of the ship I do believe it; I will state what I witnessed myself in ships where there were bulkheads. I saw on two occasions, in the day time, persons in very indelicate positions.

1366. *Chairman.*] Of different sexes?—Yes.

1367. Captain *Scobell.*] From the absence of fittings, there is nothing to prevent the opposite sexes getting together, and therefore you assume, as it is easy for them to get together, that they do so?—That is the presumption, and a very strong presumption in my mind.

1368. *Chairman.*] And you would recommend that that should be effectually guarded against?—I would.

1369. Is there any other particular in which you believe that section not to be observed?—Of course, openly, different persons of different sexes do not go into the same berths.

1370. Then what is the next section?—The 21st. "That in every passenger-ship a space shall be set apart for an hospital." In Australian ships this section is very nearly observed.

1371. You are still speaking within the limits of the 18 months?—I am limiting myself altogether to this Act, which I hold in my hand.

1372. Mr. *Meagher.*] What do you mean by very "nearly," but not entirely?—I do not think there is a sufficient number of beds in ships carrying a large number of passengers.

1373. Do you think that the number ought to be increased according to the number of the passengers?—Yes.

1374. Mr. *Liddell.*] When you say very nearly, you do not think it worth while making any special observation with regard to Australian ships?—No; the addition of two or three beds would fully meet anything on that point.

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1375. *Chairman.*] That is a considerable addition, when the whole number is four beds for 100 adults; if there is a deficit of three or four, that is a very serious deficit?—But the persons ordered to the hospital will not be ordered there for mere sea sickness; they must be sick in the opinion of the surgeon to entitle them to be berthed there.

1376. You have seen such a deficit as three or four in an Australian ship?—No, I have not; my mind came to the conclusion that the number of beds would not be sufficient for the number of sick people that would necessarily be among so many hundreds of people in a small vessel on a long voyage, confined in a small space.

1377. Did you at all look to see if there were the eight beds provided on board?—No, I did not.

1378. Captain *Scobell.*] You do not think the Act has not been complied with, but you do not think it is sufficient if it has?—I think a little more on that point would be necessary.

1379. *Chairman.*] What do you say with regard to the American ships?—They are very different in that respect, and not fitted up so nicely at all; they are much more open. They do not appear to be at all so comfortable as a sick person would require to be at sea, for I know what it is to be sick at sea myself from other illness than sea sickness.

1380. Captain *Scobell.*] Can you state particular instances, or can you state it as a positive fact, that they had not the four beds on board in the hospital for the 100, or the eight beds aboard in the hospital for upwards of 100?—No, I could not state that as a fact; I looked at the hospitals generally; I think they are not sufficiently fitted up.

1381. You have been sick yourself, you say?—Yes, both sea sickness and otherwise.

1382. On what passage?—From Dublin to Liverpool.

1383. But you were never in an emigrant ship?—No, never to America.

1384. Mr. *Peel.*] The passage between Dublin and Liverpool is not included in the Passengers Act?—No.

1385. Do you think that the space appropriated to a hospital is sufficient, or that the number of berths in the allotted space ought to be increased under this section?—I think both the space and the beds ought to be increased.

1386. Mr. *Meagher.*] Describe the difference you observed between the Australian ships' hospital and the American ships' hospital, so as to give an idea where the deficiency arises?—The Australian ships' hospitals are fitted up the same as part of the room before me, with doors, the berths inside pretty well ventilated and lighted. The Americans are not so; there is no space to guard them in. They are left open, and are altogether very unseemly as places for the sick to be in.

1387. Are they on deck?—No, generally below deck; they are all below deck.

1388. Captain *Scobell.*] Are they not properly ventilated?—With regard to ventilation, I will speak on that point when I come to it.

1389. What defects do you point out; you stated just now that they were not air-tight?—Yes, the place is too open.

1390. What do you mean by "open?"—Left completely open, nothing beside them but the boards.

1391. *Chairman.*] Not bulkheaded off?—They are not?

1392. Sir *T. Herbert.*] It does not come up to the deck?—No.

1393. Mr. *Liddell.*] Are they exposed to the view of the other passengers?—Yes.

1394. *Chairman.*] Is there any space; an up-and-down separation?—In the Australian?

1395. In the American?—In some of them there is a general boarding where the hospital commences; beyond that it is all open space again with the berths.

1396. Mr. *Meagher.*] All open on one side?—Yes.

1397. As far as the hospital extends?—There is a centre place left in the middle of the deck for the passage through.

1398. *Chairman.*] What is the next section?—The 22d, as to the fitting-up of privies. This is a subject to which I have turned my attention very particularly, and although in the number the Act is complied with, certainly in the places where they are situated, and the circumstances attendant upon them, I think it requires to be altered very considerably; the number of privies is always adhered to.

1399. Where are they situate, and of what description are they?—They are situate in the fore part of the ship upon the deck, immediately at the very bows of the vessel; at the place where the bowsprit comes into.

1400. Mr.

1400. Mr. *Meagher.*] Are they all placed there, or are there any below?—They are below, in the second class cabins.

1401. *Chairman.*] We are speaking of third-class passengers?—Those are further away from the place occupied by the passengers, so that if it be blowing a gale of wind, and the hatchways are down, which is often the case, the people cannot come up to them in the first instance.

1402. Mr. *Peel.*] Would it be possible to have them below for the class of passengers you speak of; would it not add greatly to the filth?—On the contrary, I think it would be the very means of preventing filth, for when they cannot get up they must necessarily stay below, and I have seen the consequences of their not being able to get to those privies. I have seen a most tremendous quantity of filth even in the docks, before the ship went into the river at all, and in the river the smell was most intolerable. The cause of that was that they could not get to the privies.

1403. *Chairman.*] You have seen that in the docks?—Yes.

1404. What was the cause of their not being able to get to the privies in the docks?—In consequence of the great number of people. If the privies were on shore, they would be enough for the same number of people, but of the indiscriminate intercourse of the sexes there I think that is a fair instance; women and girls do not like to go to such places before sailors.

1405. Mr. *Meagher.*] Females do not like to be exposed to all the persons on decks?—Just so. Then there are the children and the younger passengers, children in arms, and little children running about, up to 10 or 12 years of age, when the calls of nature come on, they do not very much mind where they go, and in some cases they could not go anywhere.

1406. Is this alike both in the Australian and American vessels; is there any difference?—Generally speaking, the Australian ships are decidedly superior in every way.

1407. *Chairman.*] They are specially looked after by the Emigration Commissioners?—They are; and when I come to the looking after, I can give you some information upon that subject.

1408. Mr. *Peel.*] With respect to the subject of privies, are you aware that a Committee, which was appointed in 1851, went very fully into that subject, and reported that some witnesses had urged the construction of water-closets between decks for the use of the women, who were unwilling to be seen passing to the accommodation provided on deck for purposes of this nature. This is the opinion of the Committee: "There seems, however, to be much doubt whether places of this description could be kept in any degree of cleanliness between decks"?—That would depend upon the officers of the ships who would have the regulation of the passengers, to see strictly that cleanliness was enforced.

1409. Mr. *Meagher.*] You only mean to say that the result of the present arrangement is, that the females do not go on deck to those places?—I do not say that they do not go, but that they are reluctant to go amongst sailors, because it is in this part of the ships that sailors always are, as a great deal of their work lies there. Besides that, when at night the hatchways are closed down, and people get sick, they cannot get up to these places, and they are obliged to use whatever they can.

1410. Captain *Scobell.*] You are speaking now of the lower class of passengers?—Yes.

1411. Those in the fore part of the vessel?—Yes.

1412. When a woman comes up, supposing she goes to this place, is she enclosed out of sight when she gets to it?—Yes.

1413. Has she not to go from the hatchway to this place some distance?—That is according to the size of the ship.

1414. Is the women's place kept appropriated to the women alone, or is it indiscriminately used by men and women?—It is appropriated to the women. I have never known an instance of one sex going to the place of the other in the day time.

1415. *Chairman.*] You have seen those water-closets between decks for third-class passengers on board Australian ships?—I have not.

1416. We have evidence from the Emigration Commissioners that they have them on board?—What the Emigration Commissioner gives you is in the Government ships.

1417. Have you been on board any of those?—I have, at Birkenhead; but I did not turn my attention to that particular point.

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1418. You are not at all acquainted with the way of fitting up water-closets on board ships at all, personally?—No, I am not.

1419. Captain *Scobell.*] Do those that are on deck seem firm, and very strongly built, and fit to stand wind and weather?—Yes.

1420. *Chairman.*] With regard to privies, have you anything more to say?—I would suggest that there should be some means of allowing the women to have some better regulated privies, at least such as would not subject them to feelings of indelicacy.

1421. Mr. *Liddell.*] Is it not the fact that a good deal of filth and inconvenience in these matters arises from the very dirty habits of the emigrants themselves, that they will not take proper precautions?—There cannot be any doubt about it; I will state something about that by and by.

1422. *Chairman.*] You also distinctly state that the feelings of the females are outraged by having to come on deck?—Yes; and that the filth which the Honourable Member just alluded to is not the natural inclination of the people, but arises from the way in which they are circumstanced.

1423. What is the next section?—The 23d, with regard to light and ventilation.

1424. Mr. *Peel.*] What suggestion have you to make upon that?—In every instance of light and ventilation (there might be some exceptions), but in all cases to which my attention has been turned there is not sufficient light and ventilation.

1425. *Chairman.*] This was while the vessels were in smooth water?—Yes; I never went further than the Rock Lighthouse in an emigrant ship for Australia or America; of course I came back afterwards in the steam tug.

1426. There was no impediment in consequence of the weather or other external circumstances?—None whatever; perhaps the circumstances would have augmented both the light and air.

1427. State the particulars?—The places are very dark, particularly in emigrant ships going to America, that have lower deck passengers. I mean the second deck; and even in the upper deck the places are not at all lighted.

1428. Mr. *Meagher.*] How is the lower deck lighted?—It must necessarily be lighted from the deck above it.

1429. By what means?—Thick glasses here and there, and a very small aperture like a port-hole.

1430. *Chairman.*] That is the deck below the upper deck?—Yes.

1431. Mr. *Meagher.*] You are speaking now of the lower deck?—They are generally so contrived as to have them come slanting from the deck above.

1432. *Chairman.*] Wooden shoots?—No; they are glazed outside, for the purpose of giving light.

1433. Sir *T. Herbert.*] Have they ventilating tubes?—They have; these large tubes of iron or tin.

1434. Mr. *Peel.*] What number of vessels have those two decks?—A good many.

1435. What is the provision for ventilating and lighting the lower of those two decks?—The hatchway is the great light; then there are glass holes on the decks and in the sides of the vessel; very thick glass.

1436. They do not add to the ventilation?—No.

1437. What provision is there for ventilation besides the hatchway?—There are wind sails.

1438. There are more than one generally?—Yes.

1439. If there are two, one at each end, does not that cause a draft through the deck?—It is not always on; it is moveable down the hatchway with cords and ropes; on the top of the hatchway they have an iron or tin one in the United States ships, or in the American ships, and it is so placed that it turns with the wind, and I have seen a very considerable improvement on it in the convict ships in Kingstown, where it was so contrived that it turned every way to the wind, and thus afforded ventilation.

1440. *Chairman.*] It would be difficult, of course, to convey to the Committee an idea of this apparatus without a model, but do you know generally, whether there is sufficient ventilation in smooth water and fine weather?—No, it is most lamentably deficient.

1441. Mr. *Peel.*] Would you propose to remedy that defect, by increasing the number of these apparatuses?—If there was a very large mouth made like a hatchway, it could be covered with something else besides wood, for instance, large very thick glasses would afford light.

1442. The question referred to ventilation?—I am not able to speak with respect to that.

1443. Do

1443. Do you consider the ventilation imperfect?—Yes, both in the dock and the river, as far as my experience goes.

1444. Captain *Scobell.*] Then it cannot be less so at sea?—I should conclude so; I have not had an opportunity, except for a very short time, of witnessing the people, when they are regularly put in their berths, because when the ship is in the river everything is in confusion, and people are running about everywhere.

1445. Sir *T. Herbert.*] Do they not leave those windows at the sides, called false scuttles, open?—Yes.

1446. Does not that give ventilation?—Yes, it does give ventilation, but scientific men say there is a difference between hot air and cold air; the hot air rises of course, and the cold air is lower, therefore the quantity of cold air admitted by these scuttles is not sufficient to counteract the quantity of hot air breathed by a number of passengers.

1447. Would you increase the number of scuttles?—I do not know how that could be done with safety to the ship.

1448. Mr. *Meagher.*] Those would be closed at sea if the weather was bad?—That might interfere with the ship.

1449. *Chairman.*] Is it the fact that you have seen those scuttles on board the vessels in the American trade, as well as others?—Yes.

1450. Is there any fact connected with that section beyond what you have stated?—Not except this, that I have myself felt in the docks at Liverpool, and in the river, when not half the passengers were on board, the difficulty of breathing the atmosphere which existed in this place, it was so bad.

1451. Mr. *Meagher.*] Did you find it so when out in the river?—Yes.

1452. *Chairman.*] What is the next section?—The 24th, which relates to the boats. I do not think these boats are kept in the way the section authorises that they should be kept. I never saw a boat ready for clearing; and the Committee is quite aware that many lives have been lost through the difficulty of getting out boats in proper time.

1453. In what state did you see them?—Always filled with lumber, so that they cannot be lowered in sufficient time.

1454. Is there live lumber, such as sheep, in the boats?—No, not in emigrant vessels; in those boats they put in spars, ropes, and sails.

1455. Do they stow sheep in the long-boat?—No.

1456. Mr. *Peel.*] Have you any suggestion to make with regard to this section?—That would require a sailor.

1457. *Chairman.*] Do you know what the life-boat is?—Yes; they always have a life-boat, but it is not large enough.

1458. Did you see the life-buoys?—They are not sufficient in number.

1459. Captain *Scobell.*] You say that the boats are lumbered up with things in them?—I never saw one that was clear.

1460. Sir *T. Herbert.*] But you only saw them in harbour?—Always in harbour.

1461. *Chairman.*] What is the next section?—The 26th, as to carrying cattle. I have seen American ships taking out black cattle; cows.

1462. Do you mean by that, vessels going the American passage?—I mean United States ships. I never saw a British ship circumstanced as I have seen those.

1463. With black cattle on board?—Yes.

1464. And passengers?—Yes; and in a very dangerous position.

1465. Mr. *Peel.*] Of what time are you speaking?—I speak particularly of last July; from July to September in last year.

1466. Could the vessel in which you saw those cattle have been inspected by the Emigration Agent?—I could not tell that.

1467. Or that he refused his clearance to that vessel, in consequence of there being cattle on board?—I am not aware.

1468. *Chairman.*] Did she go to sea with those cattle on board?—I am almost sure she did.

1469. Did you ever see a vessel lying out in the river with cattle on board?—No; I am going to state some facts with regard to the ship which carried out those cattle.

1470. Captain *Scobell.*] How soon did she sail after you saw her?—The day after.

1471. *Chairman.*] Where were the cattle stowed?—On the upper deck.

1472. Mr. *Peel.*] You cannot say whether the Emigration Agent ordered them to be removed?—I cannot.

1473. *Chairman.*] What time of the day did you see them?—About 12 o'clock in the day; she cleared out at night. The reason why I happened to see them was, that

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that there was a gentleman, a friend of mine, going out as surgeon in the ship, and I went down to the dock to see her. She was bringing out seven or eight very fine cattle to improve the breed in America. Among them were three or four bulls, and the remainder were cows. One of the bulls was a very wicked animal; and there being no wall, but only a small board between him and the cows, he kicked up a great row and smashed it down. It was with the utmost difficulty that they managed to tie him up again. They had just been repairing the breach that he had committed when I got on board.

1474. Were there any emigrants on board at the time?—Yes, there was a good number, not all.

1475. What is the next section?—The 29th. I have seen beef returned by the emigration officer, which he would not pass as good.

1476. Was it afterwards taken?—Not to my knowledge; I was given some of it to eat in order to try it.

1477. You do not know of its afterwards being put on board?—I conclude not, but there was some of it brought on board by the owner, while the vessel was lying in the river, to have cooked.

1478. Mr. *Peel.*] He complaining of the decision of the emigration officer?—Yes.

1479. Still the discretion is vested in the emigration officer?—Yes, but if the beef that I got to eat was the same as that returned, there was never finer beef on earth.

1480. *Chairman.*] Then you cannot testify to any breach of this Act in that respect?—No.

1481. What is the next section?—Section 30, which relates to the water casks, wood, staves, and so forth.

1482. What have you to state on that subject?—It says the casks shall not be made of fir, or soft wood. In every instance, and I have paid great attention to it, this section of the Act has been complied with, so far as the staves are concerned, but the heads of the casks are made of wood which is not, in my mind, at all fit to contain water. It is soft, nasty, dirty smelling wood; and as to the "charring" of the inside of the casks, I do not think they ever char the inside of the casks at all.

1483. Are you aware of that fact?—I never saw any.

1484. And you say the heads were bad?—Yes.

1485. Then you would recommend an amendment of the Act in that particular; the Act does not give the power of enforcing the regulation as to the heads?—It does not; it is an omission which might with good effect be remedied.

1486. What would you suggest in that respect?—I have seen in the United States ships iron tanks, in tiers fitted up on the deck, for containing water for the passengers and crew. In those iron tanks the water hardly ever gets bad at all, whereas on a voyage of four or five weeks to America the water gets bad four or five times, so that iron tanks would be a great improvement.

1487. Have you had any opportunity of knowing what the quality of the water is?—The quality of the water in Liverpool is very good, but I do not think the quantity allowed by the Act is sufficient; for the purpose of testing whether three quarts of water was sufficient for one person, I tried it myself.

1488. What is the next section?—The 32d section; I have never known any substitution.

1489. What positive fact can you state with regard to the dietary; has any fact come to your own knowledge whether the Act has been violated?—You would not call it a violation; the first table is always used, but not the second.

1490. The second is at the option of the master?—It is rather better in my mind than the first; it is not so large in quantity, but the quality of the articles is better.

1491. How have you known that such substitution has not been made?—From inquiries and observation.

1492. From emigrants?—And from emigrant agents.

1493. Have you seen the provisions served out?—I have.

*Lunæ, 27° die Martii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Mr. Geo. A. Hamilton. |
| Mr. Peel. | Sir Thomas Herbert. |
| Mr. Chichester Fortescue. | Mr. Fagan. |
| Sir James Anderson. | Captain Scobell. |
| Mr. Meagher. | Mr. Higgins. |
| Mr. Liddell. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *Sylvester Redmond*, called in; and further Examined.

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1494. *Chairman.*] THE Committee wish you to confine yourself to positive facts connected with the regulations of the Passengers Act which have come within your experience. What section will you now take?—The 35th section, which enacts that the passengers' stewards shall be seafaring persons. I have made it my business to look into this, and I have never known an instance where they were seafaring persons.

1495. Is there any other point connected with that section which you wish to refer to besides the fact of their not being seafaring persons?—The provision, so far as that is concerned, is not carried out.

1496. Sir *J. Anderson.*] How have you ascertained that they are not seafaring persons?—The passengers' stewards are persons recommended to the shipowner or broker for that purpose, and are very often passengers. Persons who have been in the habit of going to sea are very hard to be found for that purpose, and therefore they are obliged to resort to passengers.

1497. Are you aware whether those persons were approved of by the emigration officer of the port?—I do not know; but I know four instances where persons were made passenger stewards who had never been at sea before.

1498. At what port?—At Liverpool; I am speaking all along of Liverpool.

1499. Captain *Scobell.*] Are they recent instances?—They are instances within the last six months.

1500. Since the operation of this Act?—Yes, I am speaking altogether within the operation of this Act.

1501. *Chairman.*] Can you state an instance in which they were not seafaring persons?—I have stated that I know four persons were not.

1502. On board one ship?—No, different ships.

1503. What ships?—I only know the name of one of the ships; she was an American ship.

1504. Captain *Scobell.*] How many of them were American, and how many English ships?—Three were English, and one of them American.

1505. Were they all bound for North America, or were any of them bound to Australia?—None to Australia; they were all for America. I do not recollect at the moment the name of the American ship, but I was on board of her.

1506. *Chairman.*] Have you any facts as to medical men?—Yes.

1507. Sections 38 and 39 refer to medical men, and the two next sections refer to medicines?—With regard to the 39th section, I knew a person of the name of Murphy who was not either a qualified surgeon or an apothecary.

1508. Did you know him of your own knowledge not to be so?—I did; I knew him in Dublin, and I know that "Beck's Medical Jurisprudence" is the

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most he ever read on medicine; a book which is perhaps more read to qualified lawyers.

1509. What is the name of the ship, and what is the date?—The name of the ship I do not know, but the date would be about last November twelvemonth.

1510. November 1852?—Yes.

1511. Mr. *Peel.*] How long had this Act been in operation then?—Some two or three months, I think.

1512. Was it an American or English ship?—She was an American ship. The provision of the law is very often evaded by ships not carrying a surgeon.

1513. Was he an English practitioner?—He was no practitioner at all.

1514. Mr. *Meagher.*] Was he at all employed as a medical man?—He was; he went as qualified surgeon, and I saw him after he returned; he went a second time, but not as surgeon.

1515. *Chairman.*] Can you speak as to the cross Channel passage, the place where these emigrants are put, and whether their contract-ticket includes the passage across the Channel?—I can.

1516. Have you had opportunities of seeing the manner in which those persons are brought across the Channel?—I have.

1517. Are they on deck without cover, or are they under cover?—On deck without cover.

1518. During the night?—During the night.

1519. In winter time?—All weathers, both winter and summer.

1520. Have you seen them yourself?—I have, often.

1521. Mr. *Peel.*] Have you been over with them?—Frequently.

1522. *Chairman.*] State the names of the vessels and the times?—Yes, I can give the names of the ships in which I have travelled frequently from Dublin to Liverpool.

1523. What are the names?—The "Prince" steamer, belonging to the City of Dublin Company.

1524. On board the "Prince," what did you see?—I must speak generally. I will first mention the names of the ships I have travelled in, and then I will state generally what I saw, not on board any particular ship, but a general statement of the circumstances. I have travelled by the "Prince," the "Trafalgar," the "Princess," and the "Times," in which I have travelled oftener than by any of the others.

1525. What did you see?—I saw the passengers exposed on the deck without any covering belonging to the ship, and the covering they had of their own was very scanty.

1526. Are you not aware that it is the practice on board some of those steamers to bring people down into the engine-room or the deck-houses, to give them shelter?—On additional payment that is the practice. It is only those who can pay who are allowed to go there.

1527. Do they supply tarpaulins to cover them?—No.

1528. Did you see this at night, in bad weather?—Frequently.

1529. You came on deck for the purpose of seeing them?—I went as a deck passenger for that purpose once alone.

1530. Mr. *Liddell.*] How many persons have you seen exposed in that way upon deck at a time?—I have seen from 100 to 300 passengers.

1531. Mr. *Hamilton.*] But were the deck passengers, who were emigrants, treated differently to the other deck passengers?—There was no difference.

1532. Then your complaint is that deck passengers are brought over from Dublin to Liverpool in an inefficient manner?—They are, decidedly.

1533. *Chairman.*] Are you aware that under the Act of 1851, the Board of Trade can give a certificate to the master limiting the number of deck passengers a vessel is to carry?—I am aware of the Act, but I have never known an instance where it was strictly carried out. I am perfectly certain the provisions of that Act were always evaded as to the number of passengers being according to the certificate of her tonnage.

1534. Have you seen the certificate?—I have seen the certificate, particularly the "Times" steamer, and by that certificate she was only entitled to carry a certain number of passengers, not having a cargo upon deck.

1535. On

1535. On board of these steamers carrying a large number of passengers, were cattle carried?—I have never travelled from Dublin to Liverpool, from the Quay or Custom House, but they always carried a large number of cattle.

1536. That is to say, you have seen cattle on board?—Always; these are cattle boats.

1537. Sir *J. Anderson.*] Is it your opinion that the sufferings arise from carrying more on board of these vessels than they are authorised to do by the Act?—The sufferings of course are greater amongst a crowd of people than they would be amongst a smaller number; they are generally crowded round the funnel of the steamer, or huddled together in a most disgraceful manner; and as they have not been used to sea passages, they get sick, and perfectly helpless, and covered with the dirt and filth of each other. I have seen the sea washing over the deck of a steamer that I came over in one night, completely drenching the unfortunate people, so much so, that several of them got perfectly senseless. There were 250 deck passengers on board, and they were in a most dreadful state; it was an extremely stormy night, and the vessel heaved about in a very awful manner; the sea washed over her tremendously, and it was only by great exertions that some of these people were not carried overboard. I could not get further than the head of the stairs, but very early in the morning, when it became light, I went up and saw 50 or 60 of these people, including some four or five children, perfectly stiff and cold. The captain was a very humane man, and although it was blowing a stiff gale of wind, I suggested to him to have these people taken into the cabin, and he did so, bringing the worst in first; they were all perfectly wet, and whatever clothes they had on were obliged to be taken off. There was a very fine boy, apparently dead, but, by a great deal of exertion, and rubbing him in hot water, and laying him before the fire, he was revived. A very interesting looking young woman, about 20 years of age, was so bad from the effects of cold and the wetting, that she remained in a state of insensibility from between about five o'clock in the morning, until we got into Liverpool about seven o'clock in the evening; the captain brought the people down in the cabin, caused a great fire to be made, and hot water to be got, and did everything that humanity and kindness could do to revive them again.

1538. What was his name?—His name is Captain James Collis, of the "Times," but of the "St. Keiran" at that time; that young woman remained in a state of total insensibility, although she was alive when we came to Liverpool. I, myself, did not think she would recover; she was put on shore, a medical person was sent for, and I subsequently learned that she did revive, but was very bad for several days. There were several old men and women; indeed all the passengers, with very few exceptions, who were strong young men, were in such a state, as that, if they had remained on deck, many would have died.

1539. Mr. *Liddell.*] Was this a cargo and passenger ship from Dublin?—It was.

1540. Were many of them in a state of great destitution and poverty?—No; there were some who were not emigrants who were.

1541. Mr. *Meagher.*] Were some of them emigrants?—A great portion of them were emigrants, but some of them were not, and they were in a state of greater destitution than the emigrants.

1542. Mr. *Liddell.*] In the other vessels in which you have been on board, making this cross passage, have you ever seen cargoes of passengers taken on board in a state of great destitution?—I have seen them shipped from Liverpool; paupers returning to Ireland, but not coming from Dublin.

1543. Are those parties whom you have seen generally in a condition to pay their passage-money?—Certainly.

1544. What is the passage-money?—It varies according to the opposition; it is sometimes 1 *s.*, sometimes 1 *s.* 6 *d.*, sometimes 2 *s.*, and sometimes 2 *s.* 6 *d.*

1545. You have known it as low as 1 *s.* per head for deck passengers?—Yes, that is the general price, except at harvest time, when the agricultural labourers come over from distant parts of Ireland to this country to reap the harvest; the great bulk of the passengers, that is, 90 per cent. are emigrants.

1546. *Chairman.*] Have you ever seen the troops on the deck of a steamer for a voyage of any length? Did you see the embarkation of any of the troops recently for the East?—At Liverpool I have.

1547. What provision was made for their shelter?—Nothing could be better;

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there was almost as much comfort as could possibly be got on board for so large a number of people.

1548. Was there housing over the deck for any portion of them?—They were all in the grand cabins.

1549. Sir *T. Herbert.*] In the vessels that sailed with the troops was there accommodation found for them below?—The steamers that I have seen taking them out are either American mail boats, or Royal mail boats on the Cunard line of steamers.

1550. Is there a shipping place for emigrants to America at Dublin?—Not particularly; they are obliged to come to the quay.

1551. Captain *Scobell.*] Is it the case that they take the passage from Dublin to America, and are sent over by the agent in Dublin to the emigrant vessel at Liverpool? Is the passage from Ireland included in the passage to America?—The way it is managed is this: an advertisement appears in the papers, stating that the ship is to sail on such a day. A deposit is required by the agent, and on the receipt acknowledging the deposit is stated what day they are to be in Dublin, Cork, Waterford, Limerick, or the port of embarkation. He states to them that they are required to be at Cork, Dublin, Waterford, or Limerick, as the case may be, on such a day, and he will have a steamer ready to take them to Liverpool.

1552. And those are the persons whom you have just now stated suffered all these inconveniences in going over from Dublin to Liverpool?—Yes, 90 per cent. of all I have seen were emigrants, except at the time of the agricultural labourers going over from the country parts of Ireland.

1553. The great object is to ascertain what the emigrants in going out have suffered on their passage from Ireland to Liverpool?—They suffer very much indeed.

1554. Mr. *Liddell.*] You have stated the extremely low fares at which these people are brought over from Dublin to Liverpool as being sometimes 1*s.*, but varying to 2*s.* 6*d.*?—Yes.

1555. Are you aware if higher charges are made for carrying them back to Ireland after they have concluded their agricultural operations in England?—It depends on whether there is an opposition at the moment or not. There is the Dublin and Liverpool Steam Packet Company, and the City of Dublin Steam Packet Company; and if both of these companies have boats running on the same evening, their fares are reduced to the lowest point in order to get passengers. Of course if the boats of only one of these companies were running, they could charge as much as they pleased.

1556. Mr. *Meagher.*] Do you know of your own knowledge whether the passage from Dublin to Liverpool is paid by the agent of the ship or the emigrants themselves?—I think it is the agent who pays.

1557. Is the passage across the Channel included in their tickets to America?—It is mentioned in the ticket; I do not know whether the agent charges them or not, but the agent generally takes the responsibility on himself of providing a passage for them.

1558. Captain *Scobell.*] In these packets from Dublin to Liverpool, or other places in Ireland to Liverpool, which carry emigrants as passengers, is there only one class of accommodation?—There is the first cabin.

1559. What is the charge for the first cabin?—It depends on the opposition; sometimes a cabin passage from Dublin to Liverpool is 7*s.* 6*d.*; sometimes, 10*s.*; and sometimes, 12*s.* 6*d.*

1560. Is it the bargain with the passengers who only pay the lowest rate, that they shall be deck passengers?—Decidedly; they would not be allowed into the cabin.

1561. There would not be room?—Whether there was room or not, they would not be allowed into the cabin.

1562. If they were desirous of putting them into the cabin in bad weather, would there be room?—Not for a number.

1563. You think not for the number allowed by law, or the number they bring in excess?—I think not.

1564. And if they were in the state which you have described from sea-sickness, would it be a proper place for them to be down there?—Sea-sickness cannot be avoided, but sufferings from storm and the washing of the sea can.

1565. Do you mean by some precautions on deck?—Yes.

1566. Mr. *Meagher.*] Have you seen any steamer crossing the Channel with a covering over the deck?—I have.

1567. *Chairman.*] State the name of the steamer?—The "Nimrod," which goes to Cork, and the "Mars" to Waterford.

1568. They have a place to shelter the emigrants?—Yes.

1569. Mr. *Meagher.*] Is that a shelter so as to be a covering over the deck?—It has an opening at each end, but it is a covering overhead. In the "Mars" there are seats along the side, which is a great improvement upon other Channel-going steamers.

1570. Captain *Scobell.*] Does that keep out the washing of the sea?—Yes.

1571. If it is only overhead it would not?—It is at the side as well; it comes up from the deck.

1572. In a heavy sea, is there any danger of its being washed away?—I should say not.

1573. The cross forecastle is of course clear?—Yes.

1574. *Chairman.*] You have stated four vessels, the "Prince," "Princess," "Trafalgar," and "Times;" is there any other vessel in which you have observed the circumstances which you have detailed?—The "St. Keiran."

1575. On board any of these were the people better cared for than on board the others; if so, state the names?—On board the "Times," generally speaking, the people were better cared for by the captain.

1576. Was it not on board the "Times" that that terrible accident occurred, by the bursting of a boiler, where the emigrants, having crowded for warmth round the boiler, the loss of life was considerable?—If there had been a covering on deck it would have prevented these people's lives being sacrificed; because, in the very middle of summer, at sea, at night the atmosphere is very cold, and the moment they leave Dublin they crowd round the funnel to be in the warmest place all night.

1577. You have detailed cases of inanition; in your experience have you known any cases of ultimate dangerous illness resulting from exposure, either when the emigrants were landed in Liverpool, or when they were placed on board emigrant ships?—I have seen persons going on board emigrant ships in such a state of health that I knew they could not live long, and when I have seen afterwards that such and such a ship arrived with so many deaths, I am morally certain that these people died from disease that they laboured under when going on board.

1578. Are you aware of the emigrants being subjected to very considerable expense in boarding the emigrant ships when they lie out in the river?—If they are unfortunate enough not to be on board when the ship is leaving the dock, the boatmen in Liverpool charge a most enormous price for carrying them on board.

1579. Would it not be a proper recommendation that the owners of those vessels should provide some means of putting the emigrants on board, and saving them from those exorbitant charges?—They always state that the people are to be on board at a certain period, and when the ship goes into the river they also advertise that a steam-tug will wait at such a place to take out passengers; but if anything prevents them from availing themselves of those opportunities, the prices charged by the boatmen are fearfully high.

1580. But they do provide a steam-tug?—They do on a solitary occasion.

1581. On a single occasion?—On a single occasion only.

1582. Have you known it wanting on other occasions?—Frequently; I have seen people who have lost their passages in boats half way across to Birkenhead, where the boatmen would not go under half a sovereign.

1583. Do you know anything of the lodgings for emigrants while waiting for their ships?—I do.

1584. Are they of a very bad description?—Yes.

1585. Are you speaking now of Dublin or Liverpool?—Liverpool.

1586. The question referred to where they lodged in the interval between their coming across in the steamer and going on board the ships?—If they stop any time in Liverpool they are obliged to get 1*s.* a day from the agent. The lodgings, generally speaking, are filthy and very much overcrowded by people. In many of these lodging houses in Liverpool music and whiskey are provided for the poor Irish people. I have seen them crying in the bitterest manner after parting with their friends, and in a short time afterwards I have seen them in

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the greatest state of hilarity, dancing, hurraing, shouting, and drinking whiskey, supplied to them by the lodging-house keeper for his own profit.

1587. Mr. *Meagher.*] Is the Lodging-house Act in force in Liverpool?—I never heard that it was; it may be.

1588. Captain *Scobell.*] Do you mean by being supplied with whiskey that they are supplied with it without paying for it?—No; they are supplied at a very extravagant price with a very bad article.

1589. Is not their drinking it at all, or buying it, quite at their own option?—Yes; but if one person purchases it another will; it is a bad example, but one which is very catching.

1590. *Chairman.*] Have you seen much misconduct on the part of persons called runners in Liverpool?—I have; but there are two classes of persons who come under the denomination of runners in Liverpool; they are called man-catchers, and a very appropriate name it is; they are not known by the name of runners at all.

1591. Do you mean that there is a respectable class of persons who act under the name of runners, and also a direputable misconducted class?—Yes.

1592. Is there any regulation enforced upon either of those classes by any authority; is there a licensing system, or a system of badges or numbers?—There is no system of badges or numbers that I know of.

1593. Do the police interfere with them?—Sometimes they do.

1594. Do they appear to be under the regular supervision of the police, or is it only as the police would interfere with any person who has misconducted himself openly in the streets?—For the information of the Committee, that question will involve a little explanation. The class of man-catchers whom I allude to are of the lower class; they have correspondents in different parts of Ireland, who make themselves acquainted with people at the various ports of embarkation in Ireland, and find out where they come from, where they are going to, and all about them. They make a communication to these people in Liverpool, giving them the information, and as soon as the vessel arrives in Liverpool one of these fellows goes up and says, "How are you, Jack Dimpsey?" Jack Dimpsey is very much surprised at hearing the voice of his countryman, and finding he knows all about him, reposes confidence in him, and commits himself entirely to his disposal afterwards. These men always have lodging houses to which they bring these emigrants.

1595. I will read you a passage from the Report of the last Committee on this subject, and then ask you whether the system which they there describe and condemn still subsists, and if not, what changes have been made. "It appears from the evidence that the moment the emigrant sets foot on the wharf at Liverpool, he is beset by a crowd of runners or crimps, who seize upon his luggage, for the carrying of which they make a high charge, though he is both able and willing to carry it himself, and whoever succeeds in getting possession of it takes him to the lodging house, in the interest of which he is acting. These runners are, for the most part, themselves lodging-house keepers; but then their profit is derived, not so much from the lodgings, for which a very reasonable price seems to be charged, namely, 4*d.* per night for a bed, with the use of the fire for cooking, as from the per-centage claimed by the runner from the passenger-broker, and the various tradespeople to whom he takes the emigrant. He receives 7½ per cent. on account of the passage money, from the passage broker, and it appears to have been at one time ruled, by a decision in the county court at Liverpool, that the runner was entitled to recover this per-centage from the passenger broker, even though not acting under his directions or authority." Are you aware of those facts?—I am.

1596. Is that system still in existence?—That system is still in existence.

1597. Unchanged in any particular, that you are aware of?—With respectable people it is changed.

1598. Mr. *C. Fortescue.*] Do the emigrants ever ask one of these runners for his authority before they pay him?—I should say not.

1599. Do you think they are aware that unless he exhibits the licence, or written authority under the Act of Parliament, that they may refuse to pay him, and he cannot enforce payment? Are you aware that unless a runner has a written authority as agent or runner of a licensed passenger-broker, that he cannot enforce any payment from an emigrant, and that he is liable to a fine of 20*s.* for every offence, in case he cannot exhibit such a licence?—My strong impression

sion is that not one out of a hundred possesses any licence at all, and for this reason. You allude to the licence from a passenger-broker to these runners.

1600. Yes.—If they had a license from a particular passenger-broker and do business for him they could not do it for another, whereas there is not one of these men, who get hold of an emigrant, who does not go to every emigration office in Waterloo-road, where they are very numerous, to try where they will get most per-centage, and at the same time, in the presence of the emigrant, try to get him the cheapest possible passage.

1601. Might it not be well that emigrants should know that by law they might refuse to pay any man who was not a licensed agent?—It would if it could be done.

1602. Mr. *Peel.*] Do you mean that persons who act as runners, act without written authority from any passenger-broker?—No; I do not say that exactly.

1603. Mr. *Fagan.*] Just refer to the 67th clause of the Act?—I am perfectly aware, from my own knowledge, of persons acting who have no authority whatever.

1604. Mr. *Peel.*] You have stated that you believe only one in a hundred act with any written authority from a passenger-broker, do you adhere to that statement?—I do.

1605. That only one in a hundred acts under the authority of a passenger-broker, and that the rest have no authority from passenger-brokers?—Quite so; if he had authority from one passenger-broker, he could not do business with any other passenger-broker.

1606. Might not two brokers authorise the same individual to act as runner for each of them?—They might, certainly; there is nothing to prevent them, but I have seen one party bringing four or five emigrants of a family to eight or ten offices, and differing with all.

1607. *Chairman.*] In the Report of the Committee which has been referred to, it is stated that notwithstanding the Act to prevent runners recovering from any emigrant unless acting under the written authority of a passenger-broker that the law was broken, do you not think that although the system may have proved stronger than the law, if the law were amended there would still be persons who would act without authority in many cases?—I am quite sure of it; I know one instance where a passenger-broker did refuse payment to a runner on the ground that he was not a licensed runner, and he proceeded, and the passenger-broker defeated him on that point.

1608. Mr. *C. Fortescue.*] Have you ever heard of an emigrant refusing to pay a runner for his services on the ground of his not being licensed?—No.

1609. *Chairman.*] Is there anything you would suggest from your experience on the subject, you having witnessed the evil resulting from the present system; are there any means that you would suggest of controlling these runners, besides the means at present provided; would you recommend a system of badges to be worn by them, or any other system?—I do not think that a badge would at all remedy the evil, which I know to exist at the present moment. If the Committee will allow me, I will state what that evil is. Emigrants are brought to Liverpool as soon as possible before the ship sails, because if they remain any time at Liverpool they remain at a charge to the passenger-broker of 1*s.* a day. It is, therefore, to his interest to bring them at the very instant of the sailing of the ship, so that they may be no charge to him. These people get into the hands of the man-catchers, who fleece them in every shape and form. They are in league with provision dealers, who allow them 15 per cent., and with clothes dealers, who also allow them a per-centage. I have known several cases where they absolutely rob them, keeping them to the very instant the tug-boat is ready to take them to the ship, or the ship leaving the dock gate. They have practised this fraud on people with impunity, because the passenger is obliged to go away, or he would lose his passage.

1610. Mr. *Peel.*] Have you ever been in a passenger-broker's office?—Very often.

1611. Have you seen in their offices a list of the persons authorised to act as runners on their behalf?—No, nor on board the ship.

1612. You have not seen it in the office of a passenger-broker?—I have never observed it, and I have looked frequently for that list.

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1613. If there is a list it is not conspicuously exhibited?—Not in their ordinary place of business.

1614. Mr. *C. Fortescue.*] Does it often happen that a ship does not sail until some days after the advertised day, and that passengers are detained?—It does; they are put on board as soon after as possible on coming to Liverpool, for the purpose of saving expense to the agent. I have known ships to be in the river for four or five days.

1615. Mr. *Fagan.*] Those runners are in league also with the lodging-house keepers, are they not? They mostly keep lodging houses themselves.

1616. Mr. *Liddell.*] In fact, your objection seems to point to this, that closer inspection is necessary at Liverpool, by either magistrates or police, over these lodging houses and these parties?—I think there is no provision at present at all which protects the emigrants from the frauds of these people.

1617. *Chairman.*] What do you recommend?—I would recommend a summary jurisdiction to be given to the magistrates; I think there is nothing else which would get rid of the evil. As I said before, they do escape punishment for practising frauds, which they would not attempt if they had the fear of a summary jurisdiction before them, but they go upon the ground that they can escape with impunity because a passenger will not like to prosecute them, for if he did he would forfeit his passage money by staying to do so.

*William Philipps*, Esq., called in; and Examined.

*W. Philipps*, Esq.

1618. *Chairman.*] PLEASE to state your occupation?—I am a shipowner and shipbroker in the Port of London.

1619. Mr. *Peel.*] Are you connected with any line of packets sailing regularly to the United States?—I have for 21 years been consignee of New York and London packet ships.

1620. How often do they leave this country?—Once every week.

1621. All sailing from the port of London?—All sailing from the port of London, and calling at Portsmouth on the way.

1622. Do those passenger vessels sail every week?—Every week.

1623. What is the ordinary number of passengers they carry?—The ships are of various sizes; they are all of large tonnage, but some are much larger than others; and I think, on the average, we convey from the port of London to New York in the current year, 15,000 by those ships.

1624. *Chairman.*] In the ships you are connected with?—Yes.

1625. Mr. *Peel.*] Are not those emigrants principally Germans?—To the extent of nearly two-thirds are Germans; we have very seldom any Irish, in fact, we have not had any since we carried over a great number of Lord Lansdowne's peasantry.

1626. As regards the crew, what is the proportion of men to the tonnage which you have been in the habit of sending in those ships?—About three to every 100 tons; in smaller ships rather more, but in large ships three to every 100 tons are ample.

1627. *Chairman.*] Three seamen?—Three seamen.

1628. Mr. *Peel.*] Are you of opinion that that proportion is sufficiently large?—I am prepared with proofs, indeed, I think the best proofs we can possibly have in England, from Mr. Richard Green.

1629. Will you furnish the Committee with that proof?—Yes. He and myself in September last purchased an American ship which came over here; we named her the "Result"; she was 1,686 tons of American measurement, of our tonnage 1,465.

1630. *Chairman.*] New measurement?—New measurement; she was entirely under Mr. Green's management with regard to fitting for sea; in which he is much more competent than I am. We dispatched her on a voyage to Bombay and China in December, with 30 able seamen, six ordinary seamen, and four boys, which does not average three men to the 100 tons of British admeasurement.

1631. That is 40?—Yes.

1632. Forty-four would be three to the 100 tons?—Yes.

1633. Mr. *Peel.*] Was she merely a merchant ship, or an emigrant ship?—A merchant ship carrying passengers; of course we did not take steerage passengers. I have abstracted several from the crews' lists of ships built and owned by Mr.

Mr. Green, that is, British-built ships, sparred as those ships are required to be; the first is the "Alfred," 1,291 tons, which carried 37 able seamen, 10 ordinary seamen, and seven boys: the "Wellesley," of 1,013 tons, carries 31 able seamen, six ordinary seamen, and five boys, which is still a little over four men to the 100 tons.

1634. Mr. *Meagher.*] Including boys?—Including boys; the "Monarch," 1,282 tons, has the same complement of men as the "Alfred."

1635. *Chairman.*] All new measurement?—Yes.

1636. Do not ships usually measure more by new measurement than old?—The American ships measure less new measurement than old; I merely adduce this as a proof that a man with Mr. Green's experience can safely send a ship on a long voyage with that complement of seamen where he has not the assistance of emigrants, for I am prepared to contend they are a very great assistance on board a ship; we do not want all able seamen, we want thew and sinew when a great deal is to be done in pulling and hauling, and a great part of the deck work of a ship consists in that.

1637. *Chairman.*] In the ships' crews do you include only the seafaring portion of the crew, or stewards or others?—The commander, three or four mates, and steward's cook, and all other component parts of a ship's crew.

1638. Mr. *C. Fortescue.*] Was the case you mention, where there were only three seamen to the 100 tons, an exceptional case, or the rule, because you have mentioned cases were there were four?—One was an American ship; I may now say on behalf of the American packet ships, that we usually carry three men to every 100 tons. The "Result" crossed the Atlantic to this port with 28 men, including the captain, stewards, cooks, and everybody.

1639. Mr. *Peel.*] Did she carry passengers?—No; she had a cargo of timber.

1640. *Chairman.*] What number of these boys were employed as stewards in the different ships?—Not any; they were all working boys; we carry midshipmen in these ships, who pay 60 *l.* for going.

1641. Sir *T. Herbert.*] In fact, these were exclusive of officers and cooks?—Yes; the working portion of the ship.

1642. *Chairman.*] Several of these midshipmen are well-grown lads, accustomed to the sea, who had made more than one voyage?—In this case we had none that had been out before.

1643. But is not that the case generally?—Sometimes; they generally go three voyages as midshipmen, for each of which they pay; they become useful on the second and third voyage.

1644. Mr. *Peel.*] But in your ships you have only had three men to the 100 tons hitherto?—Yes, and they are proved to be quite sufficient, as we are enabled to say from the experience of 21 years, during which time we have had no casualty from deficiency of crew.

1645. Are you aware that Captain Walker, in his report on the loss of the "Tayleur," makes a recommendation to a different effect?—Captain Walker says, "From a careful consideration of the evidence, I am of opinion that the loss of the 'Tayleur' was occasioned by the master making his calculations, and placing his position on the chart, upon the supposition that the compass before the helmsman was correct. He was aware there was a difference of two points between the compasses, but he knew not which was in error; and I further think the wreck of this vessel might have been prevented had the master taken the precaution of using his lead;" a thing which I am sorry to say very many masters neglect to do.

1646. Now refer to what Captain Walker says about the men?—"She had on board at the time of sailing 2,516 tons, besides accommodation for 472 passengers, and it will be seen by the evidence of the carpenter that she had heavy masts and yards, to manage which, she would have (supposing all to be on duty) only 21 men and boys in a watch. When it is remembered that this ship had to go a long voyage, to pass through the tropics, and then to encounter bad weather in a high latitude, where in all probability some of the men would be on the sick list, I think that three men to the 100 tons, as now calculated, are insufficient." And so do I, most assuredly; but I can safely say, that with regard to British built ships, I never found them short-handed.

1647. Mr. *Fagan.*] What do you say as to the number of men in vessels of less tonnage than 1,000 tons?—It is quite clear, that you must not go by the

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rule of three with regard to the tonnage, because the larger the ship is, the smaller the number of hands you can do with in proportion.

1648. What is the number of seamen in the American ships to the 100 tons? —I should say seldom less than four in British ships; in fact, our emigration surveyor, at the port of London, takes care that we shall not have less than four, and very properly too, because in crossing the tropics they are liable to get sickly, and you must be prepared against having four or five, or six men disabled from ill heath, which, out of a crew of 40 or 50 is a very great drawback.

1649. Your vessels go with three men to the 100 tons?—Only across the Atlantic.

1650. How many men do you take in vessels of smaller tonnage than 1,000 tons?—In smaller vessels we generally take a larger proportion of hands than in large.

1651. Mr. *Peel.*] Do you in a voyage to New York?—Yes, not in large tonnage ships; we have no need for them.

1652. Where do you draw the line with respect to the tonnage?—Under 1,000 tons; but it is a matter which can only be left to the discretion of the captain; it is impossible to legislate for it.

1653. As a general rule, in ships under 1,000 tons, you require more than three men to 100 tons?—We have the same aggregate number in a ship under 1,000 tons, the same number of officers, and the same number of stewards, but the number of seamen may possibly very well differ, perhaps to the extent of two or three in the whole ship.

1654. *Chairman.*] You have stated that in ships under 1,000 tons you have decided to require four men to the 100 tons?—I would rather say under 800 or 900 tons; 1,000 tons begins to be a large ship.

1655. You have also said that in ships above 1,000 tons, in your opinion there ought to be four men to the 100 tons going through the tropics?—Under 1,000 tons in going through the tropics; and in the emigrant voyage to Australia there should be, most decidedly.

1656. Sir *T. Herbert.*] Where three men would be quite adequate for a vessel over 1,200 tons, a vessel under 800 tons would require four men to the 100 tons?—Yes.

1657. Mr. *Peel.*] In the Australian passage is it your opinion that a vessel of above 800 tons should have four men to the 100 tons?—It is.

1658. The "Tayleur" had but three men to the 100 tons?—And those were of a very inefficient description.

1659. Will you resume your examination of Captain Walker's report?—This is the continuation of Captain Walker's report on the "Tayleur;" he says that she was short in number for a voyage passing through the tropics; I entirely agree with him. That is in page 5, the last paragraph.

1660. *Chairman.*] Do you not think that vessels making the North American passage in winter time would require four men to the 100 tons?—The American ships being built almost expressly for the Atlantic trade, are built and sparred with reference to the winter passage, almost exclusively. They have light spars, which in summer weather may be used, but the essential spars are all made with reference to the winter passage. They are low square-rigged ships; there is never much top hamper or lofty spars at sea; they have the advantage of patent blocks throughout, which the major part of our ships, I am sorry to say, have not; they have little aids on deck; we have a small capstan on the forecastle, and we have gipsies amidships.

1661. Mr. *Peel.*] My object in referring to Captain Walker's report, was to know whether he had stated that in every case of a vessel carrying emigrants on board, there should be required four men to every 100 tons?—He does say further on, "Where vessels merely carry cargo it is for the owners and underwriters to manage their own business, but where emigrant passengers are carried, I presume they have a right to expect some protection from the Government. The Emigration Commissioners require four men to the 100 tons for vessels under contract, and I respectfully suggest that this rule should be applied to all emigrant ships, in accordance with the 25th section of 15 and 16 Vict. c. 54."

1662. Does he in that passage appear to be referring to emigrant vessels, whatever may be their destination?—Certainly not; he refers exclusively to what

went

went before, namely, passing through the tropics, and I think that is clear from the context, if you read it attentively.

1663. Mr. *Meagher.*] Besides, he was only referring to the Australian emigration?—Certainly.

1664. Have you made passages yourself?—I have across the Atlantic.

1665. Mr. *Peel.*] Do you say for the last 20 years you have been concerned in the conveyance of about 15,000 emigrants a year from this country to New York?—Not 15,000 a year for 20 years, it has gradually increased to that number; you are aware that emigration has greatly increased within the last 10 years.

1666. From the port of London?—Yes, and from every other port as well; within the last 10 years a new trade has presented itself in the port of London. We have a great number of emigrants from Germany, and we take them to New York at a given rate, boarding and lodging them. We take them at a given scale of rate for the Atlantic passage, and pay every expense of their passage to New York, with the exception of provisions.

1667. Have you ever received any complaints as to their treatment on board?—Scarcely any; it is impossible amongst so large a number to find every man contented, because the sea makes a landsman very dissatisfied to begin with.

1668. Have you any opportunity of looking over the reports of the mode in which they are treated on the voyage?—Constantly, and constant inquiries are made by their own Government, and the consul inquires into cases here if there are any substantive causes of complaint; but those I am happy to say are scarcely ever heard of; we have never had a complaint brought against us established.

1669. *Chairman.*] Did you make the American passage yourself in winter time?—No, but in very heavy weather.

1670. Have you been to sea professionally?—No.

1671. Where do the German emigrants embark?—We have them from all parts of Germany and Nassau; they come from Rotterdam.

1672. How are they accommodated from Rotterdam; is there always accommodation for them?—Yes, we stipulate for that.

1673. Are they brought from Germany in the Rhine ships?—Yes.

1674. Are they brought in your own ships from Rotterdam to this port?—No, but always in steam ships; there is a community of interest in the German steamboats. The Batavier has one line, and the General Steam Company has the other line.

1675. Do a great many come from Hamburgh?—Very few.

1676. Mr. *Peel.*] Do you have the Parliamentary scale of diet on board your ships?—Always.

1677. Do you find it sufficient?—It is sufficient to stave off starvation, but it is not enough to live upon and fructify; you cannot live well upon it.

1678. *Chairman.*] Would it not be well that the dietary should be increased?—Rather than have any more what may be called half measures, however prejudicial it might be to our interests, I would supply the emigrants altogether, as we do in the Australian emigration; it would place us upon a fairer footing with them, because there would not be any grounds for those vexatious complaints which are sometimes brought forward where we have a dietary scale; it would give us a great deal of trouble to begin with, but like everything else, would very soon work itself into shape.

1679. Do you know anything of the case of the bark "Emigrant," which sailed for Australia from England in 1853; did she come to the port of London?—I do not know.

1680. You have spoken of the "Result" having 30 able seamen, six ordinary, and four boys; you are aware that that is an unusual number of able seamen, as compared to most merchant vessels which go to sea?—Generally we take only two-thirds able seamen, but when we man on so small a scale as that ship is manned, Mr. Green very wisely prefers able seamen.

1681. It is on the ground of their being able seamen that you think three men to the 100 tons would be sufficient?—That is one ground; and that is one ground why the American packet ships should be allowed to go with three men to the 100 tons if they are all able seamen.

1682. Would a vessel with a large proportion of able seamen do as well with three men to 100 tons, as a vessel with a less proportion of able seamen would do with four men to the 100 tons?—A sailor would confirm that.

1683. Are you a sailor yourself?—No.

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1684. *Chairman.*] You have made the passage from England to America?—Yes, once.

1685. Have you been out in heavy weather?—I was 35 days in heavy gales and a hurricane.

1686. Are not the gales of wind as heavy between England and America as between England and Australia?—I should think, with the exception of the typhoon in India, the Atlantic can give as much wind as any part of the globe.

1687. If in the Atlantic there are as heavy gales of wind as in the passage to Australia, should there not be the same number of men to go to America as to Australia?—No; because we have not those contingencies to guard against which we have in the longer passage; we have in the passage to Australia to guard against sickness in our crew.

1688. Mr. *Liddell.*] Nor have you such extreme variation of climate?—We have no variation of climate; our latitude is the same.

1689. Captain *Scobell.*] You are aware that a heavy gale of wind is a test of the crew, whether a ship is fully manned or not?—Exactly.

1690. Rough weather is the time to find out whether your crew is sufficient?—Yes.

1691. You have said that in the voyage to America the gales are as heavy as they can well be?—So far as my experience goes, without being a seaman.

1692. Are you not at a loss to see any sufficient ground for drawing a distinction between a long passage and a short one, provided in the short passage you are subjected to as great difficulty in managing ships as you would be in the long voyage?—Captain Walker answers that question for me, I think, very satisfactorily. He says, "When it is remembered that this ship had to go a long voyage, to pass through the tropics, and then to encounter bad weather in a high latitude, where in all probability some of the men would be on the sick list, I think that three men to the 100 tons, as now calculated, are insufficient." He does not say on account of bad weather.

1693. He says, when they have "to encounter bad weather in a high latitude;" the weather in one latitude is sometimes as bad as the weather in another?—He alludes especially to the sickness of the crew. We must assume he does not mean to say that three men to the 100 tons are not sufficient where they are all healthy, but he says that in passing through the tropics sickness does ensue, as we all know.

1694. In the number of men which are usually provided, do you assume that they all remain healthy, or do you make any allowance for the possible sickness of some in the passage to America?—We consider the crew we take to America to be sufficient under all circumstances, in any contingency.

1695. Even if several of them were sick?—Yes.

1696. Mr. *Liddell.*] As a proof of that you point to an experience of 21 years?—Yes.

1697. Captain *Scobell.*] Are you aware that Government, whether they send sailors, troops, or emigrants, universally require four men to the 100 tons?—I am quite aware of that.

1698. Do you think then that Government are extravagant in their requirement, and that they throw their money away by requiring that?—Not at all; the Government usually send the troops by the British ships; they send nothing but British ships, which are notoriously much more difficult to manage than the light-sparred American.

1699. But they send troops also to other places, such as the West Indies and Canada, in a higher class of vessel, with four men to the 100 tons; they do not make any distinction, whether it is to America, Australia, or any other part of the world?—They do not, as a general rule.

1700. If a vessel has a valuable cargo of Government stores, or even specie, they never insure, do they?—The Government do not insist upon any number of men when the ship only carries stores; it is only when the vessel takes troops.

1701. Are you quite clear on that?—I am very clear.

1702. That they do not in the case of stores insure the vessel?—No, they do not; but where we do not take more than half our tonnage in stores, although we fill up with other cargo, Government do not interfere.

1703. They take the better class of vessel?—No, they do not; they take the cheapest; I wish they would take the best.

1704. I mean the safer class?—Certainly not; they take the cheapest ship, be she what she may, if, when examined, she passes the survey.

1705. For

1705. For troops?—Yes.

1706. Whenever they send by these vessels they never insure?—I believe not.

1707. Would you always insure?—Yes; but many do not.

1708. Of course there are not only Lloyd's as general insurers, but there are a great many insurance clubs at different ports and places in which a large number of owners of vessels mutually insure each other?—That is confined almost exclusively to the outports in the north of England.

1709. Mr. *Peel.*] Was there considerable mortality on board these ships to New York last autumn?—Out of 50 ships which we dispatched to New York last year, three arrived there with mortality from cholera.

1710. Was there a large mortality in the general emigration to New York from that cause?—On the general emigration to New York there was fearful mortality from cholera.

1711. Was that principally in the case of vessels going from Liverpool?—Yes; we had about three vessels, and I think the greatest number was six or eight deaths.

1712. Mr. *Liddell.*] Did this break out almost entirely among the Germans?—Entirely; we discovered several cases among the Germans before they embarked, and of course we did not allow them to embark.

1713. Mr. *Peel.*] Was any inquiry instituted in New York?—That I cannot say; they are very particular in New York on that subject.

1714. Sir *T. Herbert.*] In which class of emigrants do you consider there is most disease, the Germans, English, or Irish?—I think among the German emigrants proceeding from the port of London we have a very small portion of them diseased. We have a medical inspection before embarking, which I had the honour of suggesting to a Committee of this House; and that is very efficiently carried out by a very skilful man, who, with his assistants, inspects every passenger before he is allowed to proceed on the voyage on the deck of the ship, and any one who has any suspicious appearance about him is taken on shore immediately.

1715. Mr. *Peel.*] When a vessel arrives at New York is there any inspection by the Government before the emigrants are permitted to land?—They are obliged to heave to, or anchor at the quarantine ground by Governor's Island, near New York, where they are inspected, and such as are diseased are carried off to hospitals prepared for them; the others are allowed to disembark.

1716. Is there any inquiry made as to whether the provisions of the Passengers Act of the United States have been enforced or not?—Their Act is fully as stringent, if not more so, than our own; and on the arrival of every ship it is ascertained whether she has brought even half a man too much according to her admeasurement.

1717. By whom is that ascertained?—By the Government officers.

1718. Are there emigration officers at the different ports of the United States?—They are, I believe, appointed by the Custom-house expressly for that purpose. We have had by mere chance, or mis-tally, some two or three occasionally over and above the number allowed by the American law to be carried, which is one passenger to 14 superficial feet, and we have applied then to the Secretary of State at Washington for relief.

1719–21. Then there is an inquiry made as to the number of passengers?—Yes, and it is very rigidly enforced.

1722. Was there any inquiry made in the case of the three vessels which had the cholera on board?—Yes, and on all other very serious occasions.

1723. *Chairman.*] Are you aware whether these inquiries are made before the passengers disembark?—I have stated already that these inquiries are made on arrival at the quarantine ground, and such as are sickly are conveyed direct to hospitals on shore, very much in the same way as at our own colony at Quebec.

1724. But it might be desirable that an inquiry should be made into the general management of the vessel before the witnesses are dispersed?—I am sorry I do not make myself understood. On the arrival of the ship she is compelled either to anchor or heave-to in the quarantine ground; then an inspection takes place before any one is allowed to disembark, where any evidence can be obtained before the ship receives pratique, if you may so term it.

1725. Do you believe that the Passengers Act of the United States is in general enforced on board an emigrant vessel going to that country?—Most rigidly.

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1726. Was public attention called in the United States to the large mortality of last autumn?—I dare say it was expressly called to it, because they are invariably so rigid in their inquiries; perhaps it is necessary that they should be so.

1727. Captain *Scobell.*] Does the American law limit the number of passengers in emigrant vessels by the tonnage?—The American law is, that in every case, whether a ship carries a surgeon or not, that a passenger must have 14 superficial feet of deck. By the English law, if the vessel carries a surgeon, the passenger has 12 superficial feet, and if the vessel does not carry a surgeon the English law requires that he shall have 14 superficial feet.

1728. Sir *T. Herbert.*] How are the provisions served out to emigrants?—By the third officer of the ship

1729. How are they cooked?—In the galley.

1730. No part of the emigrants cook for themselves?—We are bound to carry an emigrant's cook.

1731. In the emigrant vessels they do not always cook for the emigrants?—No.

1732. Is the galley sufficiently large in all these vessels?—There is a distinct galley for emigrants.

1733. Mr. *Peel.*] Are any statistical returns made of the general emigration to the United States in the course of a year?—Yes, very ample indeed, everything that relates to emigration.

1734. Have you ever seen any of those returns?—I have seen them.

1735. Could you favour us with any of a recent date?—I can by writing for them to one of our consignees, who is the head of the Emigration Relief Fund, Mr. Minturn, of New York.

1736. Have you any idea what the mortality on board emigrant vessels to the United States has been?—I should say very small indeed. I had the honour of appearing before a Select Committee of this House in the year 1848; it was after the awful mortality which ensued in crossing the Atlantic from Ireland and Liverpool; the average in the year 1847 was 17½ per cent. of all the emigrants that crossed. I supplied that Committee with statistics, showing that the mortality among emigrants from the port of London did not amount to one-half per cent.

1737. At the same period?—At the same period. The Committee sat early in 1848, and I suggested to that Committee the medical inspection, which has proved so valuable since, reducing the mortality in the year 1848, with a larger emigration, from 17 ½ per cent. down to less than 1 per cent.

1738. In what year was that?—In the year 1848.

1739. Was that on the general emigration from this country?—Yes, to the United States and Canada.

1740. Including Canada?—Yes; in the whole number which we were the means of forwarding in the year 1847, which was the fatal year, we had but one casualty, and that was in a ship going out to Quebec, in the case of an old German woman 80 years of age, who begged to be allowed to go out to die with her family; she died at Gravesend, therefore that can hardly be said to be a casualty on the voyage.

1741. Captain *Scobell.*] Is not your firm one on a very large scale and high standing; your ships are of the best kind, and the best found, and very well manned, that is, more able seamen in proportion to ordinary?—Yes.

1742. But that is not the case with many other emigrant vessels which are in the traffic?—With the exception of Australia, I have nothing to do with emigrant ships; there I trade somewhat largely likewise.

1743. What I meant to say was, that certain precautions may not be necessary in the circumstances under which you carry on the trade, but may be necessary where the precautions which you are in the habit of practising are not taken by the masters and crews of other vessels?—In the port of London there is a gentleman whose vigilance it is not possible to escape, and who takes care that every requirement of the Passengers Act is faithfully carried out.

1744. Mr. *Peel.*] That is, as to vessels leaving this country?—Yes.

1745. But what means have we of securing the same precautions during the passage, and subsequently to the ports of this country being left?—In the case of the packet ships their reputation would depend upon it; they are, so to speak, bound over to behave well, otherwise they would not get any more. The transient ships are likewise dependent on passengers; in the ships which sail from

from London, Liverpool, Havre, and Bremen, they almost invariably pay the same attention to the comfort of the passengers that the regular packet ships do.

1746. Were you examined before the Committee of 1851 on the subject of the Passengers Act?—I have no doubt I was.

1747. Have you read the Report which that Committee made?—No.

1748. It was stated in that Report that, "Your Committee cannot but feel, and they would refer to the evidence of Mr. Bunce, the British vice-consul at New York, in confirmation of their opinion, that so far as the emigration to the United States is concerned, there is little hope of effectually checking its abuses until some arrangement be made between the United States and Her Majesty's Government for an impartial and careful inspection of emigrant ships, whether British or American, arriving in the ports of that country"?—With all due deference to the consul, I should say he was entirely in error.

1749. And the Committee too?—The Committee was bound by his evidence, but the consul is decidedly in error.

1750. Mr. *C. Fortescue.*] You say there is a strict inspection of emigrants upon arriving in American ports?—All emigrant ships; because we are sometimes compelled to take up an English ship, the emigration is so large.

1751. Mr. *Peel.*] Was there a very large mortality last autumn in vessels proceeding to the United States?—That formed a very small aggregate on the total emigration.

1752. But at that very time the emigration to Canada was remarkably healthy?—That must be accounted for only by the Germans, who almost invariably emigrate to the United States; scarcely any go to Canada.

1753. The per-centage of the mortality among the Germans last year to Canada does not appear to have exceeded one-half per cent.?—The question is, what it amounts to in the United States.

1754. That I want to ascertain?—I can ascertain by return of mail, if desirable.

1755. Mr. *C. Fortescue.*] You have heard the statement made as to the way in which the Irish emigrants who land in Liverpool are treated?—I have.

1756. Have you ever heard similar complaints with regard to German emigrants landing in London?—When the German emigration took its course through London some seven or eight years since, they were treated not quite so barefacedly, or so bad as the Irish are at Liverpool, but almost in the same way, by a number of scoundrels, their own countrymen, to whom they fled on account of not knowing our language. Seeing the distress and danger caused by such practices, I arranged for a house to be fitted up for their reception, much in the same style as between the decks of a ship.

1757. Mr. *Liddell.*] A sort of emigrants' home?—An emigrants' home; and that has worked, I think I may say, admirably ever since; they go from the steamboat to that house, and have every opportunity for cleanliness. We have German cooks and servants.

1758. Are there parties to receive them on landing, and conduct them to this house?—Certainly; it would be inefficient without that.

1759. *Chairman.*] After the ship leaves the dock, do the emigrants go on board in boats?—Very seldom indeed; they sometimes try to get away in boats.

1760. Mr. *Fagan.*] During their stay in London, what do they pay for their lodging?—They cost us 20 pence a day for their board and lodging. Of course I do not take charge of the house myself; it is under the supervision of a man who supplies the ships with provisions; it is by agreement; we pay 20 pence per day.

1761. Do you contract for their passage across the Atlantic, or Australia, or wherever they go, in their own country?—In their country; each man has a certificate in his own language.

1762. Then it is precisely on the same system that the contract is made with Irish emigrants in their own country?—That I do not know anything about.

1763. Mr. *C. Fortescue.*] Do you know anything of the treatment of German emigrants arriving in this country who are not accommodated in this house?—I believe, from the force of example, and the necessity that competition induces, they are well treated; they were not so previously.

1764. Mr. *Liddell.*] Are the expenses to which they are subject by the detention of these vessels as long as they remain in the Port of London, included in the whole cost of booking from their own towns to the United States?—Certainly.

1765. Nothing extra charged?—Nothing extra; it is one given sum, so many florins from the banks of the Rhine to New York.

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1766. *Chairman.*] How many vessels have you sent to America during the last year?—Fifty-two every year, one every week; we may occasionally, if there is an excess of emigration or freight, send six or eight more.

1767. Those vessels satisfy the requirements of the Passengers' Act in this country before they leave?—Certainly.

1768. And are of course held bound to satisfy the requirements of the American Passengers Act on their arrival?—Most assuredly.

1769. In the American Passengers' Act there is a clause enacting that there shall be a peculiar kind of hatchway, so contrived as to be always open; that is not the case in ordinary ships, where in bad weather they bolt down the hatchway?—No; good ventilation is at all times a very valuable adjunct; a large cowl is placed upon the forecastle of the ship to admit air, which rushes in a torrent betwixt decks; we have found them stuffing their clothes in to prevent its coming in, and there is an egress by the same means aft, so that between decks is kept purified during the whole voyage; great attention is likewise paid in our vessels to cleanliness between decks.

1770. Mr. *Peel.*] Have many of these vessels two decks?—Yes.

1771. Is there no difficulty in ventilating the lower passenger deck?—Not the slightest.

1772. *Chairman.*] Is not the ventilation of the main deck affected by the vapour rising from the lower deck?—Not at all; it is kept clear.

1773. What height is this building about the hatchway on the deck?—About six feet.

1774. Is there any space bulkheaded off, so as to impede the access of the between-deck passenger to the hatchway?—No.

1675. That is kept clear?—Yes.

1776. Sir *T. Herbert.*] Are your vessels six feet under the beams?—The American vessels are usually seven feet; a tall man could walk with his hat on.

1777. What are yours under the beams?—About seven feet.

1778. Captain *Scobell.*] That is certainly the case, is it not, from deck to deck?—Certainly seven feet.

1779. A former witness stated that he thought that in a large vessel of two decks, carrying a great number of passengers, they were more subject to ill health than a number of passengers in a vessel of smaller size; is that your opinion?—I am free to confess, that my first impression went so far when we got to three-decked ships, but I have been thoroughly convinced by experience that that is not so.

1780. Mr. *C. Fortescue.*] That it is not so if a less number is taken by the vessel?—Certainly not; in heavy weather they prefer the lower deck to the main deck.

1781. Sir *T. Herbert.*] You attribute that to the improved ventilation?—Certainly.

1782. *Chairman.*] What recommendation have you to make with regard to passenger stewards?—As numbers may require; one to every 150.

1783. No fixed rates?—No; we take out sufficient to satisfy our requirements.

1784. Captain *Scobell.*] Have you any suggestions to propose for carrying out the existing Act, or improving it?—I beg not to be considered as making any remark which may be offensive, but I must say that, if anything, we have had too much legislation on the subject; if we could have less we should do a great deal better.

1785. *Chairman.*] But supposing it should appear before this Committee that other vessels are not as well regulated as yours certainly seem to be, do you not think there was a necessity for legislation?—I think it should be very greatly simplified. I think the very long Act, called the Passengers Act, is calculated to create confusion of ideas, if not in practice. People cannot understand so much reading; they will not take pains to read it; a simply worded clause of an efficient nature would be worth all that is put there.

1786. Have you any sketch which you could at a subsequent period furnish to the Committee?—I furnished Mr. Labouchere with one in 1848, which was carried into practice, but has been improved upon from time to time, until it has become from a small one a very large one, and really creates confusion.

1787. Mr. *C. Fortescue.*] Will you give a few specimens of what you consider bad legislation in this Act?—There are too many words in this Act. If you want to enact a thing it is not necessary to repeat it over and over again. Then

we

we have addendas and a sort of glossary, which we see in our old books, to explain an obsolete word now and then, but in these Acts it ought not to be necessary.

1788. Mr. *Peel.*] Now, confining yourself to objections of substance, what fault do you find with the existing Passengers Act?—If you would allow me to draw my pen through the parts of the Act which are neither necessary, useful, nor called for, I could tell you.

1789. *Chairman.*] Can you at a subsequent period, at your convenience, let us have a paper or sketch?—I will, founded on practical knowledge.

1790. Mr. *Fagan.*] You stated just now that the expenses of the emigrants, while they remained in London, cost you twenty-pence a day, whereas the law required you to pay a shilling a day; does that arise from your having a depôt for them?—Certainly; we cannot board and lodge them for less money; in fact, there is a loss, I am told, on what is charged now.

8791. Mr. *Peel.*] Can you give us an instance of a superfluity of enactment in this law?—It would take some time; I should occupy a great deal of the time of the Committee. If you would allow me to do it quietly, in my own office, I would hand it in to the Committee at a subsequent period.

1792. Mr. *C. Fortescue.*] Without mentioning the case of individuals which you might not be inclined to give, do you think that this Act is really carried out in the case of other parties in the same way in which it appears to be carried out in the case of your house?—In the port of London it must be carried out in that way, because we have very vigilant superintendence.

1793. You think the emigration offices of the port of London do really enforce this Act?—They sometimes go rather beyond it if they can; they are very rigid with us, and very properly so. Those who do right do not grumble, it is only those who do wrong. Ever since their establishment we have had, I think, more to do with them, and more experience of them, than any other shipowners of the port of London, and we have found their course of proceeding always of a satisfactory nature. They never required more than the law compelled us to do, and that we have always done.

1794. Captain *Scobell.*] Can you speak to any other port than London?—No.

1795. Sir *J. Anderson.*] You have no knowledge as to whether the emigration agents at other ports are more or less efficient than in London?—I am sorry to say that I believe them not to be so efficient as in London.

1796. Captain *Scobell.*] What is your charge for an emigrant from the Rhine to New York?—That depends a very great deal upon competition.

1797. What is the present charge?—The present charge is from 68 to 70 florins.

1798. Will you turn that into English money?—Very nearly 6 *l.*

1799. Mr. *Liddell.*] Do you consider that your trade in shipping, whether as regards the passenger trade or commerce in general, has been recently in a prosperous and thriving state?—Most assuredly. We have now got, what I contended for for five or six years before many Committees of this Honourable House, and especially in the Navigation Committee, free labour. I told those Committees that if they gave us free labour we would compete with and beat the rest of the world. We had to work in fetters for two years, but after a very hard work to obtain it, we have now got free labour, and are prospering. I am never afraid of competition if they only act fairly and freely.

1800. Mr. *Meagher.*] You were speaking of some of the ships having erections on the main deck for the accommodation of seamen and passengers; are those permanent structures?—They are built with the ship.

1801. And not so liable to be carried away in bad weather as temporary erections?—Certainly not. Reverting to the case of the "Tayleur," there seems to be still an impression on the mind of the Committee, that ships with three men to the 100 tons could not sail with safety. I have taken pains to analyse the crew of the "Tayleur," and I find it to consist, for a ship of about 1,979 tons, of only 24 able seamen, that is 1¼ able seamen to the 100 tons. Those 24 include the boatswain and sailmaker. There were only 13 ordinary seamen, making 37 seamen for nearly 2,000 tons; 1½ men to 100 tons. Again, there are 20 people on the crew list, counting as part of the crew, who are really and *bonâ fide* only passengers, at the nominal pay of a shilling a month; therefore, including the 20, there are but 57 to navigate a ship of 2,000 tons, irrespective of cooks and stewards.

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1802. Captain *Scobell.*] Men and boys?—No, boys are distinct from that.

1803. Sir *T. Herbert.*] What was the number of boys?—Six boys.

1804. Captain *Scobell.*] If you can get English able seamen, do you take foreigners?—Not if we can get English.

1805. You prefer English?—Certainly.

1806. You are sometimes obliged to take foreigners?—Yes.

1807. You never take a foreigner who cannot speak English sufficiently fluent to understand the orders given?—No, I think not; but that does not come under my own observation.

1808. Mr. *Liddell.*] Do you consider that the "Tayleur" was inadequately manned when she left Liverpool?—I do.

1809. Considering that she had on board so large a number of passengers, do you thereby intend to impute blame to the emigration officer at Liverpool in clearing that ship?—I do not.

1810. Why do you not impute blame to him?—He is not called upon to catechise every man who comes forward as a seaman; he sees a certain number of men on board appearing to be sailors; he is not furnished with the crew-list, in which there is the amount of wages or pay appended to their names. I do not see that he has any further resource than to see that there are so many men as the crew of that ship.

1811. Sir *T. Herbert.*] Sixty-three is the number?—Yes; Captain Walker says that that is not enough for crossing the tropics; I think he is right.

1812. There were thirty-seven, exclusive of these cooks and attendants?—Thirty-seven.

1813. *Chairman.*] How far do your ships take pilots?—A packet ship as far as Portsmouth; but in an ordinary ship as far as the Downs.

1814. You do not mean packet ships, you mean emigrant ships?—Yes.

1815. Do they take pilots then as far as Portsmouth?—Yes.

1816. And land or put them on shore there?—Yes, they anchor and take in other passengers.

1817. Captain *Scobell.*] In an early part of your evidence you spoke of emigrants sometimes assisting in navigating the ship?—I learnt that by a very pleasant experience to myself. I have been frequently in the habit of going round to Portsmouth in our ships partly as a matter of pleasure, and partly to learn the routine of my business. One afternoon as we were beating to windward in a ship of 570 tons, with 17 seamen on board, we came across the late Lord Yarborough lying-to in his yacht called the "Falcon," and we challenged his Lordship to sail with us. He began to gain over our 570 tons ship in his light little 330 tons vessel; we saw that would not do, so I enlisted some of the emigrants, and put 20 men on the main tack and 10 forward, and distributed them in 30 or 40 to pull and haul. They were much delighted, and in the next board we were able to go about as fast as his Lordship. It is only thew and sinew that you want for the working of a ship in ordinary circumstances. Supposing we had four men to the 100 tons, you would not send them all aloft to reef topsails, for they would be in each other's way.

1818. Are the emigrants useful in a heavy gale of wind such as you have described in the Atlantic?—A great many would be.

1819. Mr. *Meagher.*] The emigrants begin to feel an interest in the ship?—Yes, it is an amusement and exercise to them.

1820. Captain *Scobell.*] When there is heavy rain and snow and bad weather, when you most want help, you will not be able to get it?—Some few would.

1821. Mr. *Liddell.*] You agree in the opinion that the "Tayleur" was inadequately manned, but you do not impute any blame to the emigration officer in clearing her out; under those circumstances we must assume that you do not consider there is a sufficient protection given to emigrants in the passenger ships?—I think a remedy might be suggested for that.

1822. What is that remedy?—I think that the ship's articles should be produced.

1823. What do they contain?—They contain the names, ages, and country of each man, and the amount of pay. I am sure my friend Captain Lean would not have passed 20 men at 1*s.* a month as seamen. I am sure he would have made inquiries and satisfied himself that they were not so if he had seen the articles,

articles, but he has no right to see them now. I should suggest a clause compelling the owners of the ships to produce the ship's articles. *W. Philipps*, Esq. 27 March 1854.

1824. Captain *Scobell.*] You mean, under the present system, the officer who cleared the "Tayleur" might have been deceived?—Yes.

1825. Whereas they appeared to be sailors, a great many of them were not so?—Certainly not. I wish to refer to the case of the "Annie Jane," which is an Atlantic wreck, against an Australian wreck. Captain Beechey says, that wreck was caused by the excessive quantity of iron stowed in the lower hold of the ship, by which she rolled her masts overboard. Now there is a fault in Liverpool, where they will not allow you to compensate for the weight below, by placing some little weight above. If you place an inordinate quantity of dead weight in the lower hold of a ship, and nothing betwixt decks to compensate for it, she must of necessity roll, whether in calm weather or in a gale of wind, and roll awfully. Our emigration surveyor here, very properly allows us to put pigs of lead or iron, or bars of railroad iron, under the berths in the steerage, and that weight so far compensates and balances that pitching, that we go frequently, voyage after voyage, without the loss of a spar; in Liverpool ships they will not permit that, even although they must have an idea of it as well as ourselves.

1826. Are you not aware that the Act provides that there shall be six inches clear under the lower berths?—Then that is to be filled with pigs of lead or iron bars, well chocked and stowed, so that they cannot fetch away. That relieves the burthen of the ship.

Commander *Lean*, R.N., called in; and Examined.

1827. Mr. *Peel.*] YOU are emigration agent of the port of London?—Yes, I am. Commander *Lean*, R. N.

1828. How long have you held that office?—Seventeen years.

1829. Captain *Scobell.*] Are you an officer in the navy?—Yes, a commander in the navy.

1830. Mr. *Peel.*] Has the emigration from the port of London increased latterly very much?—Very considerably for many years past, but not for the past year.

1831. As compared with the year 1852?—Yes.

1832. A considerable number of the ships chartered by the Commissioners leave the port of London, do they not, for Australia?—Yes, they do.

1833. Are those ships all inspected by you?—They are.

1834. Is there as large an emigration from London to America as there has been from London to Australia for the last two years?—The emigration from London to America as compared with Liverpool is trifling; it varies from about 15,000 to 20,000 in the course of the year.

1835. What was the number of emigrants in 1853 to Australia, including both private and Government emigration?—I think we had only about 12,000 or 13,000; I have not brought the data down with me, but before that, in the year 1852, I think we had somewhere between 30,000 and 40,000.

1836. Do you consider the present Act a great improvement upon the preceding one?—Certainly, I do in many respects.

1837. And in general its provisions suffice for the protection and comfort of the emigrants?—Yes, I think they do; some questions arise occasionally, where two interpretations are put upon certain clauses of the Act, and I have got one now before me, with reference to the large number of passengers who were going out to Port Philip in one of the ships. They came to complain to me about the introduction of head money, which had been demanded of them by the charterer of the ship, which ought not to be done in compliance with the contract ticket. In that contract ticket it is provided that all head money and other expenses, except freight for excess of luggage, should be included in the passage money, in order that there may be no demand made upon the emigrants beyond that. Now this head money has been laid on, I believe, by the colonial authorities, at least, it has been a very recent Act of the Colonial Legislature.

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1838. Are you speaking of the emigrant tax?—An emigrant tax in Australia.

1839. Has there not been an emigrant tax in Canada?—There always has, both in the United States and in Canada; and it was to meet that very question that this was introduced into the contract ticket; it was to provide for that hospital money, as it is called.

1840. So as to throw the charge upon the emigrant?—So that it should not be demanded of him.

1841. Is not the master of the ship required to pay the tax upon the emigrants?—He is.

1842. And therefore he reimburses himself by increasing the passage money?—I assume so.

1843. Then in what way does the existing Act conflict with that provision?—It does not conflict with it at all, but it is quite a new thing for a tax to be laid upon the emigrants who are going to Australia; that is the first instance of the kind.

1844. Do you think generally that the emigration officer has too large a discretion vested in him by this Act?—Certainly not; but it is just one of those questions which require to be defined; of course there are two constructions put upon the clause of the Act, which I have sometimes to define.

1845. In case of doubt or difficulty you make an application to the Commissioners for instructions?—Of course I do.

1846. *Chairman.*] Will you state any other marked case of difficulty?—I cannot say that it is a difficulty, but I think there is one of the sections of the Act which is almost an anomaly.

1847. Which is that?—That is the section which requires the passenger list; the ship not coming under the operations of the Passengers' Act, but having on board any number of steerage passengers, is required to furnish a list to the emigration officer for his signature.

1848. Mr. *Peel.*] Is the clearance given by the Custom-house officer?—The clearance of course takes place in the Customs, but the Customs will not clear the ship until that passenger list is signed by me, although the ship is not under the operation of the Passengers' Act.

1849. What provision is that?—That is the 13th section.

1850. If cabin passengers only were on board, would the Custom-house officer require in that case that you should subscribe a list of passengers?—Not cabin passengers, but any less number than four to 100 tons, which brings the ship within the operation of the Act; they are obliged to furnish a list of the intermediate and steerage passengers.

1851. It says that he shall sign a list and deliver it to the officer of the Customs, or to Her Majesty's consul at a foreign port?—Yes, the master of the ship.

1852. Do you object to the introduction of those words, "or otherwise"?—I do not object to them without the ship is brought under the operation of the Act; then it places me in a very awkward predicament, because passengers, believing that a ship is brought under the operation of the Passengers' Act, feel a certain degree of confidence; and when they find that she is not so, they are deceived, and have expressed themselves so repeatedly.

1853. *Chairman.*] Then you think it desirable that vessels carrying steerage or forward passengers should have a list?—There is always a question, and has always been a question, as to the distinction between cabin and intermediate passengers. A remarkable instance of that occurred the other day in a memorial which was sent up from the passengers of a ship in the Downs, in which they made various complaints. It was addressed to the Commissioners, who sent me down to go on board this ship in the Downs to ascertain their grievances. It was just one of those cases to which I have alluded: that the ship had cleared with a certain number of passengers, which did not bring her under the operation of the Act, and they were all mustered on board. The passengers made some complaints at Gravesend to my assistant, who is stationed there, but he had not the power to interfere; and when they got to the Downs they sent up this memorial. It was only last week that I went there.

1854. It appears to me that if these words were omitted, it would throw upon the captain the duty of determining for himself whether a ship having passengers on

on board came within the Act; are you not aware that the introduction of those words relieves him from that duty, by requiring him, in every instance, to receive the emigration officer's subscription of the list of passengers; is not that so?—It is.

1855. If those words were added, therefore, the Custom-house officer might clear a passenger vessel which did not come under the inspection of the emigration officer?—Yes, he might; but who would then be responsible for having evaded the law?

1856. Now you are the person responsible for the execution of the law, and not the Custom-house officer?—I am responsible for the execution of it; but then the Customs clear the ship, and the list of the passengers is delivered to them, and therefore they are competent to ascertain whether the ship is brought under the Passengers Act or not.

1857. *Chairman.*] Your duty ceases when you have countersigned the list?—Of course the people are mustered, or I could not sign the list.

1858. Your duty ceases as soon as you have countersigned the list, instead of the Custom-house officer?—Yes, it is then taken to the Customs and cleared with the other documents of the ship.

1859. Mr. *Peel.*] Still you would require the Custom-house officer to determine in the case of a vessel admitted to clearance, whether or not she is a passenger ship within the meaning of the Act?—Of course that must be so.

1860. Mr. *Meagher.*] Do you require more power in those cases than the mere signing of a list; do you require a power to inspect the ship in the same manner as now, under the Act?—I certainly consider if the people are to be mustered on board, which they must be before the list can be signed, that the other requirements of the Act should be also entered into.

1861. Mr. *Peel.*] How otherwise are you to determine whether she is a passenger ship within the Act or not, unless you have some evidence of the number of passengers who are on board?—That was done before by the Custom-house authority.

1862. But he is more liable to fall into error than yourself on that subject?—I do not think so, because if there are four persons to the 100 tons required to bring the ship under the operation of the Act, and the officer who clears the ship in the Customs sees the tonnage of the ship and the number of the passengers, the computation is very easy.

1863. But how is he to find the number of the passengers without mustering them?—By the list produced.

1864. Then the only change would be the mustering by the Custom-house officer instead of yourself?—They would not be mustered at all by the Custom-house authorities, but if a list was produced to them it would be so far satisfactory.

1865. But would there not be a possibility of the falsification of the list unless you mustered the passengers, and saw them?—There is no doubt that is very possible and very probable.

1866. Therefore the Custom-house officer would probably muster them, in order to see that there was no mistake, would he not?—He would not be very likely to do so, because they are not very likely to take any trouble about anything which does not concern the revenue.

1867. Does not that seem to show that the duty should continue in yourself, in order to protect the passengers?—That is just the very question; I do not see what protection we can afford to the passengers, except by giving special protection to them.

1868. Where the number of passengers does not exceed a certain number, the Legislature has considered that they do not require any special protection?—Exactly.

1869. Now, if that list was not required, there would be a chance of ships having more than the minimum number of passengers on board being cleared by the Custom-house officer?—Yes, but that would be the fault of the Customs.

1870. But you say the Custom-house officers are not likely to pay any attention?—That is very true; I do not think they would.

1871. Does not the conclusion seem to be, that that section should remain as it is now?—It amounts to this, that if the ship has only got two or three steerage or intermediate passengers, that they would require to be mustered, and a list required to be left, and if she had 40 or 50 passengers, which is very often the case, and more especially during the last year, a ship has taken just as many passengers as would exempt her from the operation of the Act, and no more; if

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she has 40 or 50 steerage or intermediate passengers, there is no protection whatever, and that has been more generally the case with foreign than British vessels.

1872. Still we must take precautions, that passenger ships are not cleared without the usual inspection by the emigration agent?—It is because that precaution should be required that I have made those remarks.

1873. Do you consider, that when they have a less number of passengers than the law requires for passenger ships, that the protection of the Act is required?—It just amounts to this, that if a ship has 50 passengers, which she might have without being brought under the operation of the Act, there is no protection for those 50 passengers, whereas if she had 51 there is; there must be a line drawn somewhere.

1874. Do you think that the line is not drawn at the proper point?—I should say not, because if I go on board where there are 50 passengers, they are under the impression, and perhaps have been told that the ship will be, or has been under the examination or surveillance of the Government, and when the people are on board, they find that there has been no examination, that the ship has not been surveyed, that the provisions have not been examined, and in fact, that no precaution has been taken to ascertain whether the ship is safe or not, and then the people have expressed themselves as being very much deceived.

1875. Do you mean this, that you think the definition of the term "passenger ships" should be altered, the definition now being every ship carrying a greater number of passengers, when propelled by sails, than in the proportion of one statute adult to every 25 tons of the registered tonnage of such ship; would you reduce the number of passengers in proportion to the tonnage, in order to make a passenger ship?—Certainly I would.

1876. But to what extent would you reduce it?—I should say that I would reduce it by one-half.

1877. You would define a passenger ship to be a ship propelled by sails, carrying one person to every 50 tons?—Exactly, two to every 100 tons.

1878. Are there any other sections of the Act which appear to you to be defective?—No; I consider that the Act works remarkably well in every other particular.

1879. Now, has your attention been drawn to the difficulty of enforcing an Act of Parliament on board of ships going to a foreign country?—Do you mean a foreign ship?

1880. A foreign or British ship going to a foreign country?—There is some difficulty about it, because the captains of foreign ships will never do more than they can help, and therefore everything that is out of the common routine practised by the generality of those people has a considerable difficulty in being enforced.

1881. Do you concur with the previous witness in thinking that passengers should be as much looked after on board of a vessel going to the United States, as on board of a vessel going to Canada?—Certainly; they should be as well looked after, no doubt.

1882. On the passage, after they leave the port of London?—Yes; the accounts that I have received from time to time from Canada of ships which have sailed from the port of London are very few, the number of emigrants being very few, but the accounts that I have received have been very favourable indeed as to the state of the ships which have gone out, and the health of the people on board.

1883. *Chairman.*] What class at Lloyd's are the vessels that you have surveyed in the port of London as passenger ships?—They are seldom below the red diphthong, but there are ships in the black diphthong that have been surveyed, but then they are surveyed by me and my surveyors without reference to the classification at Lloyd's; that I think is a very salutary law, because Lloyd's surveyors are governed by certain rules which they do not like to deviate from, whereas the law has given me power not to be guided by any specific rules; in surveying of ships, they undergo a thorough examination and scrutiny.

1884. Vessels which you survey for the Emigration Commissioners, you are directed not to take lower than the red diphthong?—Yes, but we have taken ships up for them which have not been classed at Lloyd's at all.

1885. What age ships?—They were generally new ships, and some of them were foreign ships; but some ships have been quite new, and therefore they have

not

not been classed; it is a very rare thing for English ships not to be classed at Lloyd's, but there are some exceptions.

1886. What is the extreme limit that you would give; would you go beyond 12 years?—Yes; some ships are very good ships at 30 or 40 years of age, but then they have been nearly rebuilt.

1887. Rebuilt in what period?—Perhaps they have been re-classed during the time, and renewed perhaps for four or five years; they have been continually kept in repair.

1888. You are particular, are you not, with regard to the North American built ships?—Yes, much more so.

1889. They are not considered generally as durable as British built ships?—No, for some ships built in our colonies and North America are defective in five or six years.

1890. Beyond 10 years they are not often to be found very good?—Not often.

1891. Are there many North American built ships taken up in London for emigrants?—Yes, a good many.

1892. Mr. *Meagher.*] What test do you apply to the efficiency of the crew; have you any control over those?—Simply by mustering, by the articles, and by their general appearance. I think a sailor's eye can always discover whether a man is a seaman or not when he is before him; but besides that, there are their wages, and there are the shipping masters now to whom those articles must be produced, and they give proper certificates, and the shipping master is responsible; and, besides those things, there is the captain of the ship, who is present and examines the man, and who would not be likely to pay able seamen's wages to men who were not so.

1893. Mr. *Liddell.*] On that point, the wages might to a certain extent test the ability of the seamen?—Certainly.

1894. Sir *T. Herbert.*] Do you look at the articles?—The articles are not always produced in the packet ships, for the captain of the ship has to appear before the consul with his articles before he sails, and the ship is very often going out of the docks at that very time.

1895. Captain *Scobell.*] What number of men do you think is sufficient to navigate a ship per 100 tons?—Until the reduction in the number, about 12 months ago, by the Emigration Commissioners, we always took four men and a boy, for a southern voyage, per 100 tons, but the proportion for an Atlantic voyage was three men and a boy. That was in our ships, but the United States ships never take boys, and therefore that practice has been continued in the port of London of three men to 100 tons.

1896. And a boy?—No, they never take boys in the United States, but in our own ships we were obliged to take them, under the Navigation Laws.

1897. State what you include in the three men; would you include the master, mates, surgeon, carpenter, and attendants on emigrants?—It includes all.

1898. *Chairman.*] Officers, stewards, and all?—It would include all, unless they have some extra steward; it would include one steward.

1899. Captain *Scobell.*] Would it include the surgeon?—No, because they very rarely carry one.

1900. Would it include the cook?—Yes.

1901. Does it include those who do not keep watch?—Yes.

1902. How many men of an ordinary class would that leave per 100 tons for the working of the vessel; those who keep watch?—The American ships generally take about two-thirds of their number as able seamen, so that in a ship carrying 36 hands, they would have about 24 able seamen.

1903. *Chairman.*] That would be only two to the 100 tons?—In a vessel of 1,200 tons, three to the 100 tons would be 36, and then 24 able seamen would be about two-thirds.

1904-5. That is, two to the 100 tons for working hands?—Yes; but in those American ships they have no such thing as absolute idlers, except the steward, for they make them all work, carpenters, cooks, and all, everybody.

1906. Captain *Scobell.*] Do they make the cook keep watch?—They could not make the cooks keep watch, but they are working men.

1907. Then you think that those who keep watch would be enough?—I think

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that has been the case with an Atlantic voyage; of course where a ship is only 300, or 400, or 500 tons, she would require more than that proportion, but I am speaking more particularly of American ships.

1908. How many men would you think it necessary to keep watch, and watch at night, taking away the boys, in a ship of 1,000 tons?—According to the proportion I have stated, I think there should be 20 able seamen in that ship.

1909. Altogether?—Yes, before the mast.

1910. You would require them all to be able?—Yes.

1911. You draw the distinction between a vessel with able seamen, and a vessel with only a part able seamen?—Certainly I do.

1912. Then in that short number which you have spoken of, the two to the 100 tons, you would require that they should all be able seamen, and not count boys; that would be ten in a watch?—Yes.

1913. Would that include the mate?—I mean hands before the mast.

1914. Now when you muster the crew, which you are required to do, in what manner do you ascertain their qualification?—As I have already observed, simply by their appearance and pay, and by the attestation of the shipping master, without I was to observe anything suspicious about them, or I thought that they were looking more like landsmen than seamen.

1915. In that case do you think it would be a good plan to be adopted to make the men in your presence go aloft, for the gait of a landsman going aloft is very different to the gait of a seaman?—If I had any suspicion of their seamanship it would be a good plan.

1916. If it were the rule for a crew to do so, would it be a good test of certifying to you whether they were what they pretended to be, sailors?—I should almost thing it an unnecessary test, without there was anything in their appearance and manner to call for it, because there is not only their pay inserted in their articles, but there are their former certificates, their former ships are put down, the ships they have served in. If I speak to a man I put certain questions to him without putting him to the test of going aloft. I think it would cause a vast deal of discontent to always send them up aloft to ascertain whether they were seamen.

1917. You might make them unfurl the sails and furl them again in your presence?—I think that Jack would go on shore if you required that.

1918. Is it not of consequence that you should have some means of judging whether they are able seamen?—Certainly; I am of opinion that the test of the articles and the appearance of the men is quite sufficient without, by their manner or appearance there is any suspicion raised.

1919. Do you think they never deceive you?—I do not think I could be deceived myself.

1920. Mr. *Liddell.*] At present the captain is not obliged to produce the articles to the emigration agent?—He always refuses to muster the crew without articles.

1921. Sir *T. Herbert.*] Do you consider that the inspection by the emigration agent is necessary?—I think so.

1922. Captain *Scobell.*] Are there not vessels that have never been at sea, which take out cargoes of emigrants to North America or Canada?—Yes.

1923. Which have never been at sea before?—Yes; the great mass of British ships which go out now come from the north, from Sunderland or Newcastle, which are the great ship-building ports.

1924. You remember in the case of the "Tayleur," that she had never been at sea; do you think that there should be a provision that no ship should take emigrants out until it had been proved that she was seaworthy, and easy to handle?—I should doubt the expediency of making such a rule as that.

1925. As regards the safety of the passengers, and looking at the case of the "Tayleur," which turned out a very unmanageable ship, although a very beautiful ship to look at, should you not think that a rule advisable to be adopted?—I admit at once that it is an important question, but how to deal with it is the difficulty.

1926. One way of dealing with it would be, to enact that no vessel which had never been to sea should embark a cargo of emigrants?—That would be one remedy; but I think it would be difficult to carry it into effect.

1927. The question is, whether if it could be carried into effect it would be a desirable one for the safety of the passengers?—No doubt it would be desirable to

to ascertain the capability of the ship before carrying emigrants, but whether you could carry that rule into effect or not without creating very serious remonstrances from the shipping interest, I do not know.

1928. You say in very few cases it occurs?—Very few; there are vessels built in London; there was a very fine ship launched the other day from Fletcher's yard, and another from Green's, and another from Wigram's.

1929. We are speaking of a vessel which has never been to sea before, and looking at the case of the "Tayleur," which was apparently a beautifully fine vessel, but turned out to be unmanageable in the steerage from the great distance it took to wear her?—I have my own opinion about her.

1930. But still it stands on evidence that she took a space of several miles to wear and so forth, and that she would not answer her helm?—I think it very possible that she might not have answered her helm; she might have been on her broadside, and therefore it would be a difficult thing to make her answer her helm.

1931. She was lost with a great number of her passengers, and she was a new vessel; would it not have been satisfactory if she had been proved beforehand?—No doubt; I have been particular in forming an opinion about her; I have raised an objection to a vessel myself on account of her height above water, as compared with her depth below, not appearing to afford sufficient stability.

1932. What was the name of the vessel you objected to?—She was called the "Swarthmore."

1933. Mr. *Peel.*] Where the cargo is not properly stowed, have you the power to object?—I have exercised that power.

1934. But you have no power to object to the stowage of the cargo when it is stowed below the passenger deck?—I have; if I see anything that would militate against the safety of the vessel, and her proper management, I certainly feel myself at liberty to object; if it is not properly stowed, I should feel myself quite at liberty to object, and to point it out.

1935. Have you actually exercised that power?—I have exercised that power so far that when I have found the ship has been improperly stowed, and inquired into the dead weight that she was to take, I have made suggestions that have been generally followed.

1936. Sir *T. Herbert.*] You have no authority as to the distribution of the cargo?—Yes, I have, when it is improperly stowed.

1937. Have you ever interfered as to the ultimate distribution of the dead weight?—Yes, I have; not allowing iron, for instance, to be stowed solid in the bottom of the ship; for example, railway iron; it is usual, if a large quantity is shipped, to put some in the between decks, so as to compensate for the great weight below.

1938. *Chairman.*] You have distinctly altered the stowage below?—I have, when I thought it stowed improperly, pointed it out.

1939. Mr. *Peel.*] Without any doubt as to your competency to do so under the law?—I do not at all doubt my competency, for I consider the vessel is not seaworthy if she is improperly stowed.

1940. When you have exercised that power has it been submitted to by parties, or disputed?—I cannot say that I had ever a dispute here in London.

1941. Nobody has ever disputed it?—Never. The ships are generally so well managed as scarcely to require any direct interference.

1942. Captain *Scobell.*] Do vessels sail so frequently with iron from London as from Liverpool?—Perhaps not so frequently, but very often from London with railway iron.

1943. Is there any restriction as to what proportion of cargo should be iron?—I do not consider that there is; I do not think there is any rule laid down, although I have heard it asserted that there is in other ports. It is not the case with mine; it depends so entirely upon the distribution of it.

1944. If a ship were entirely laden with iron you think that would not endanger the vessel if she were properly stowed?—Not if it were properly distributed.

1945. If it is not there is ample power to examine into the stowage with respect to iron?—Certainly.

1946. *Chairman.*] It was stated by the last witness that in some cases there were pigs of lead stowed under the berths?—Yes.

1947. Does not the Act provide that there should be six inches clear space between the bottom of the berth and the deck below?—Yes; those pigs of

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lead very rarely come up to the six inches, and therefore they are stowed clear.

1948. Does it at all impede the cleaning under the berths?—No, I do not think it does, because they are stowed close together. Of course they cannot be so well cleaned out as if the pigs of lead were not there, but I do not see that it is objectionable.

1949. Mr. *Meagher.*] In the distribution of the cargo do you take care that the requirements of the Act are observed as regards space?—Yes.

1950. Mr. *Liddell.*] Do you consider that the emigration officer at the port of clearance is provided with sufficient powers under this Act to secure the safety of the passengers, if he thinks proper to exercise those powers at his full discretion?—I think so; I think the seaworthiness of the ship embraces everything.

1951. *Chairman.*] If there is a difficulty felt by emigration officers and other parties as to the powers given them by the Act, and they do not feel justified in ordering the owners of vessels to make an alteration in the stowage of the cargo, do you not think that it should be expressly stated that that power is given to them by law?—I think it better, certainly.

1952. Mr. *Peel.*] Is there a general disposition on the part of the ship-owners of the port of London to facilitate the execution of the law?—I have never had any difficulty with them; of course they sometimes try to deviate from my requirements, but in general I have never found any difficulty ultimately with them.

1953. Captain *Scobell.*] You do not see to the stowage of the cargo yourself?—Never.

1954. You have a report how it is stowed, but you do not see it stowed?—From time to time, I or my assistants go on board to ascertain as far as possible how the cargo is stowed, but one cannot minutely examine the stowage.

1955. Do you sometimes go on board the vessel after her cargo has been stowed, and receive the report of what that cargo is?—Yes.

1956. Mr. *Liddell.*] You stated that the difference between the American ships and the British ships in crossing the Atlantic was, that the American had three men to every 100 tons, and the English had three men and a boy?—Yes.

1957. You stated that in former times it was compulsory to take this boy?—Yes.

1958. Was that under the apprenticeship clause?—Yes.

1959. Has that clause now been repealed?—Yes.

1960. Do you think it advantageous that that clause has been repealed?—I do not.

1961. Do you think it desirable to renew that clause?—I do.

1962. Do you think that by the re-enactment of that clause a nursery for seamen would be constituted, which had been somewhat endangered by the repeal of that clause?—Yes, I do; as far as my humble opinion goes, I consider its repeal a very injudicious thing.

1963. Captain *Scobell.*] You have given your attention to the subject, and that is your deliberate opinion upon the matter?—Yes; if I were the owner of a ship, I would always sail with apprentices; they are more to be depended upon in a foreign port than casual seamen, and you have more control over them.

1964. Do you find the proportion in emigrant vessels less or more than they used to be when the law required a certain number?—Less; some ships do not take any boys at all.

1965. Mr. *Peel.*] Do you ever receive complaints from emigrants from the port of London, of their treatment on board ship during the voyage?—Occasionally.

1966. Lately?—Yes. Not very long ago there were some people coming home from the colonies in the "Calcutta," and some who were wrecked on the coast of Brazil in the "Sir Fowell Buxton." I had occasion to bring the question, with regard to those people, before the Lord Mayor; but a decision could not be come to with regard to their grievances; and they were ultimately obliged to bring them before the County Court, where they recovered.

1967. Do you believe that the provisions of this Act are fulfilled, in respect to the voyage, after vessels leave the port, going to foreign countries?—There is very little control over them after leaving port; it depends so much upon the captain of the ship.

1968. Does the information occasionally received lead you to believe that the passengers

passengers have not what the Act intended they should have?—There is very little information reaches me with regard to the passengers after they leave the port of London, especially where they have gone to the United States. I very rarely ever receive any information from them; in fact, I never see them again, or know what becomes of them.

1969. *Chairman.*] But, previous to their going, you have said that you generally find the requirements of the Act complied with?—Yes.

1970. Are there six feet between the decks?—Of course I insist upon all the requirements of the Act being complied with.

1271. Do you insist upon that, clear of the beams, or under the beams?—No, from deck to deck.

1972. Without reference to the beams?—Yes.

1973. Do the decks appear to be well laid?—I require them to be properly laid. I think the Act requires that they shall not be less than 1½ inches. The Act does not require that the lower deck shall be caulked.

1974. There has been evidence given before this Committee that in some of the Dublin ships the decks were not caulked, and the consequence was that the dirt fell through down below?—I always require that the passenger-deck shall be caulked.

1975. The passenger space is 6 feet by 1½?—Yes, the sleeping berth.

1976. And two persons in each berth?—Yes.

1977. You do not allow more than two in a berth?—I have always been an advocate that every man should have his own berth. I think there is a very decided objection to two men being allowed to sleep together in the same berth; I stated that before to the last Committee.

1978. Mr. *Peel.*] Is there no partition?—None; two men sleep together. In all our Government ships they are altogether distinct, and latterly also in private passenger ships to Australia.

1979. Where single men are carried, are they berthed in the fore part of the vessel in a space divided off from the rest of the deck?—Yes.

1980. *Chairman.*] Is there a bulkhead?—Yes.

1981. Captain *Scobell.*] Are they so divided that one sex cannot get at the other?—They will break the bulkhead down sometimes.

1982. It has been given in evidence here that they were not so divided in Liverpool, but in the port of London you always look to that?—Yes.

1983. Now as to the water in the tanks, do you find any tanks in use in the vessels which carry emigrants?—Yes, they often have tanks.

1984. Do you require them to be generally used?—I think it very desirable.

1985. Do you think it would be a desirable regulation for the Committee to consider whether a certain portion of the water in emigrant ships should not be in tanks?—I think it might be very desirable that a certain proportion of the water should be in tanks.

1986. Could you insist upon that under your present powers?—No.

1987. Have there not been iron casks invented to meet that difficulty?—Yes.

1988. And for all practical purposes that will be the same with reference to tanks?—Yes, if they can be made to keep tight I think it will be a very good thing to have them.

1989. Captain *Scobell.*] Is it in your department to see that the boats are in good order?—Certainly.

1990. Do you generally find that they are in good order?—Occasionally I find fault with them; in former years I have had great difficulty with them, but since this Act has been in operation, almost everyone in the port of London knows what are my requirements, and I have less difficulty now than ever I had.

1991. Is there not a tendency at least to put something in the boats?—They often put stock in the longboat.

1992. Is that allowable?—Well, I do not object to it, because if they want to hoist the longboat out, and it should happen to have a few sheep or pigs in it, they are very soon pitched out; I do not allow any boat to be filled with dead weight.

1993. Or partially filled?—Or partially filled.

1994. Mr. *Peel.*] Live stock cannot be carried on board emigrant ships?—Yes, if they are for the use of the captain or cabin passengers.

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1995. Mr. *Meagher.*] Not as part of the cargo?—We should object to it; we do not allow horses or bulls, for instance, or any live stock for cargo, such as sheep or rams.

1996. *Chairman.*] With regard to the question of cleanliness between-decks, the first question we come to relates to waterclosets; on board the Australian ships they have waterclosets between-decks?—Always.

1997. Are those the patent ones?—Yes.

1997*. The common patent ones, that is, with two holes in the side, one to admit the water, and the other to discharge the soil?—You are thinking of the force-pump.

1998. Yes?—No; it is very rarely that we have them, because they are very expensive, and apt to get out of order; in fact, in most of Mr. Green's and Mr. Wigram's ships those waterclosets were in use, and they found that they so often got out of order, that they came back to the common waterclosets.

2999. What is the plan at present?—It is just the common valve, and the soil-pipe going through the side.

2000. One hole?—Yes.

2001. Where does the water come from?—The water comes from a cistern from above.

2002. A tank above?—Yes, or sometimes it is underneath the deck; but we have adopted now a new plan in the Government ships, which are more immediately under my control and direction in their fittings, which is, that by stepping into the watercloset it lifts a valve, and the water flows down and cleans out the soil; that is done simply by stepping in. It was only very recently that we tried a plan by the movement of a door, the same as they have in railway stations, but we found that was too complicated, and did not answer.

2003. So far as you have had experience of this new plan, you have found it efficient?—Yes, I thought it very highly efficient: I mentioned it to Mr. Murdoch, the chairman of our Board, and he took the trouble to go down with me, and he approved of the plan, and we adopted it, and a very good plan it is. There is nothing that I have had more trouble about than in making these waterclosets work well.

2004. Do not you think it well that there should be one steward or boy appointed, whose duty it should be to look after these waterclosets?—I think it would be a highly desirable thing for a person to be appointed to look after these waterclosets, and to see that they are kept clean; either one or two, and to be liberally paid.

2005. Are there any waterclosets on deck?—Yes; and there are privies on deck for the men.

2006. Are they securely built?—They are securely built; but there is no water provided for them. In the Government ships, for years past, they have had a tank on the forecastle, and a pump into that tank; and before they could get a drop of water to wash the decks that cistern is filled; it holds about 150 or 200 gallons, and a lead pipe coming along on each side which supplies the waterclosets. We have always sufficient water with large pipes and taps to go into our privies, but I cannot get that done in a private ship.

2007. You would recommend that it should be?—I should think there is nothing which contributes so much to the health and comfort of the people as those places being properly looked to.

2008. Mr. *Peel.*] Would you make it compulsory to have some particular arrangement on board emigrant ships?—I would make it compulsory that they should be supplied with water.

2009. Mr. *Meagher.*] Would you not make it compulsory to have some place for women and children below?—I think so. Great objections have been started about having waterclosets below, on account of the smell; but I am satisfied that women will not go upon deck at night, and more especially if it happens to be blowing and raining; I think, therefore, it is necessary to provide accommodation below for them.

2010. Mr. *Peel.*] In the private ships which you speak of, is there not accommodation below?—Yes, there is; but not to the extent that I provide for in the Government ships.

2011. Not to a sufficient extent, in your opinion?—It is decidedly not sufficient.

2012. Mr. *Meagher.*] Do you think it necessary that the same regulations which

which exist in the Government ships, should be enforced in the private ships?—I do, for the comfort, health, and security of the people.

2013. I do not speak now with reference to this particular subject, but generally?—Those ships are all fitted out under the direction of the emigration officer of the port of London. I mark them out myself and direct all the arrangements in every particular, and therefore if I had to do that with the private ships it would interfere with the classification of their passengers, because they have their different berths at different rates, according to the space and accommodation in them.

2014. Mr. *Peel.*] You would recommend that no berth should contain more than one person?—For men.

2015. That is, for single men?—Yes.

2016. It has been recommended to this Committee that there should be a medical man in the emigrant vessels to America, where the number of passengers exceeds 300, instead of 500 as now; do you concur in that suggestion?—I think it very desirable, but I am afraid it could not be practically carried out. I think that has been the great objection to our not having a surgeon in the North American emigration.

2017. *Chairman.*] On account of the number that would be required?—Yes, there are sometimes two or three ships a day going from Liverpool, for which surgeons would have to be provided.

2018. Mr. *Peel.*] At present, if there are 500 passengers on board a ship, a medical man is required?—Yes.

2019. Do you think there would be any difficulty in procuring medical men, if one was required, for every ship carrying 300 passengers?—I do, and there would be the difficulty, and always will be, about what would be an inducement for them to go. I think that no moderate sum which you can offer for so short a voyage, would be an inducement to many medical men.

2020. *Chairman.*] You always take care that there shall be a medical man in the Government ships?—Yes, the Commissioners take care of that, they appoint themselves, but in private ships they come under my control.

2021. Whom do you consult to ascertain if he be what he represents himself?—I examine his diploma, and ascertain his qualifications in that way. I do not approve of any one who is not properly qualified, either with an English, Irish, or Scotch diploma.

2022. Have you not a person to act as a sort of medical assessor, with whom you can advise?—I have a medical inspector, whose duty it is to examine the person, and put such questions to him in order to ascertain whether he is really the person he represents himself to be. Of course he must be identified.

2023. Mr. *Peel.*] Have you the power to object to a medical practitioner?—I have.

2024. Whether he has a diploma or not?—Whether he has a diploma or not; of course one must exercise such a discretion as that with great prudence.

2025. *Chairman.*] With regard to the medical inspector, who appoints him; do you accept any person?—The Act gives me the power of appointing the medical inspector. Dr. Sparks is the present one, and he has been with me very many years.

2026. Mr. *Meagher.*] Is there any inspection of passengers by the medical man?—Yes, they all pass before the medical inspector in the private ships.

2027. *Chairman.*] Have you a power to examine the water?—Yes, to test the water, and exercise a control as to who supplies it, and where it comes from; because I found so many tricks played with the water in former years, that I am very particular about it.

2028. Captain *Scobell.*] Do they take it from any water company?—Yes, there is a water company called the Samaritan Water Company, who get their water about Wapping. They have a reservoir there from the East London Waterworks, by pipes. Then, again, there is the East and West India Dock Company's water, which is brought to the head of the West India Docks, and there filtered. It is carried by pipes into their tanks, and so the ships procure very good water.

2029. In times of old you remember they used to fill the casks by water out of the Thames?—I have drank it often enough.

2030. Of course they do not do so now?—They filter it out of the Thames.

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2031. Do they ever fill the casks for emigrants out of the Thames?—No, it is always brought in tanks, and they profess to filter it; in fact, there was a vessel lying off Wapping Old Stairs, where they had a regular process of filtering; that water was very good, and I hardly ever heard a complaint of it. They were in the habit in former years of filling their barges, and having cocks in the bottom of those barges. They had to pay a guinea for coming in and out of dock; the dock company levied that tax upon them, and when they got in they seldom found it convenient to go out again to fill their barges, and they filled them in the docks by letting in the dock water.

2032. Captain *Scobell.*] Are you aware that in the first dietary table they have no meat either to Australia or America?—Yes.

2033. Do you think that a wise regulation, or that there should be some allowance of meat?—I think it very desirable that there should be; but I think it was the policy of the general plan of emigration that the dietary scale should be limited to a very bare subsistence.

2034. As it now stands?—As it now stands. It was among other reasons assigned why there should not be a regular dietary scale, that many poor people from Ireland were in the habit of not eating meat sometimes, but of taking salt-fish with them, and that it would interfere with the price which they could pay, and therefore that was the reason why meat was not introduced into the dietary scale inserted in the Act, for fear of its being coercive. In all ships going to North America from London they increase that dietary scale for general provisions. I think the passengers pay 30 *s.* in addition.

2035. By private arrangement?—Yes.

2036. Mr. *Peel.*] Has the Government the power to substitute other articles for those in the Parliamentary scale if they choose?—Yes.

2037. Speaking generally, do you see any demand for further legislation?—Perhaps the points which I have stated are not of sufficient importance.

2038. Not by themselves?—No.

2039. But they should be attended to in the event of the amendment of the Act?—It was with that view that I mentioned them.

2040. You do not think that the state of the law is such as to render it necessary that Parliament should interfere afresh for the protection of emigrants?—I cannot say that I do; I do not think there is any absolute necessity.

2041. You do not think there are any essential fundamental points on which fresh legislation is required?—I think in the broad view which I take of this Act of Parliament that sufficient powers are vested in me. Of course I sometimes take the spirit of the law instead of taking the letter, and I take a responsibility upon myself in doing so, but I never hesitated to do it.

2042. Mr. *Meagher.*] Your experience is confined to the port of London?—Entirely.

2043. Are you of opinion that the other ports, Liverpool for instance, are as well regulated?—I could not offer an opinion on that subject, because I do not know.

2044. But there have been disasters which have occurred in the last six months in cases of emigrants going from Liverpool which have not occurred for years in the case of London; is that your view?—Yes.

2045. Captain *Scobell.*] You say you do not hesitate yourself to go rather beyond the law where you find it practicable; would it not in some cases be better that the law should be so defined that a timid man, which perhaps you are not, should have full power to see that everything is attended to?—It would be a very difficult thing to define the law so strictly.

2046. But supposing what you do to carry out the spirit of the law is right to do, and that it could be defined by law to be done, would not that be desirable, instead of trusting merely to the letter?—It certainly is always better to have a strict definition of the law, rather than to allow for any discretion in carrying it into execution.

2047. *Chairman.*] In London you have the immediate presence of the Board of Trade to back you at any moment?—Yes.

2048. It would be a great scandal for a shipowner of such a port as London to be exposed in head quarters?—Yes.

2049. But in the outports there are not such powerful engines to support you; therefore if we have evidence to show that the emigration agents in those outports are

are not so bold as you, or have not tried to use the power, which you have, do you not think that there should be more legislation to give them that power?—Yes, I think so, where it can be the case.

2050. Mr. *Peel.*] Do you not think it to be the case that the more rigid an enactment is, the less means there are of accommodating it to the fluctuation of circumstances?—Yes, the more strictly defined it is.

2051. Do you not find it necessary to use your discretion very often in these matters?—I do find it sometimes necessary to exercise a discretion.

2052. Your regulations vary from time to time?—Yes, they do, to a certain extent.

2053. Do you find some advantage in being able to vary them?—I do, very great, both with regard to the health and comfort of the passengers, and their safety.

2054. Is it not better that the 25th section should be preserved in the form in which it stands, giving the emigration officer a discretion as to the efficiency of the crew, rather than that we should lay down a rule as to there being four men for every 100 tons in every voyage?—I approve of the general authority which that section gives, rather than laying down a strict rule.

2055. Captain *Scobell.*] But the practice which the officers in Liverpool might follow as to the number of seamen to every 100 tons might be different to what another officer would follow, so that there might be two different practices carried out at two different ports?—There might.

2056. And thereby there might be a different practice at London and Liverpool, and any other place?—Yes, it has been the great object of the Commissioners to establish a uniformity in so important a matter, as well as every other.

2057. The Commissioners themselves always require four men to 100 tons?—Yes, that is, for their ships for the southern voyage.

2058. Mr. *Peel.*] Even in such cases as the number of the crew, would not something depend on the build of the vessel?—Certainly it would, because some ships that are heavily sparred would require a greater number of men than others would, and therefore he ought to have a greater discretion.

2059. Captain *Scobell.*] Have you anything to do with proving the compasses by swinging the vessel?—I consider that is involved in the question of the safety of the vessel, and therefore I look to that the same as I do to everything else; it is not often that an iron ship comes under my surveillance, but occasionally I have had one.

2060. Is it done in the Thames, before or after the vessel is laden; is it ever done before she is laden?—I have had only two iron ships that have come under my notice; one of those was swung at Greenhithe, and the other was swung in the East India Docks, before they were so full as they are now; sometimes there have not been half a dozen ships in those docks.

2061. Was it after their cargoes were on board?—Yes, when they were ready to go.

2062. You see the table of errors, as supplied after she has been swung?—Yes, we ascertain the errors of the compass by swinging the ship.

2063. Do you inquire as to whether there is a chronometer?—We always inquire about the chronometers.

2064. Sir *T. Herbert.*] Do you require a barometer?—There are no requirements as to a barometer; but I have always endeavoured to obtain two chronometers at least, and I like three better.

2065. There are indications of weather coming on, particularly in high latitudes?—Yes.

2066. *Chairman.*] No ship, under your superintendence, leaves without taking a Channel pilot, at least as far as Portsmouth?—They always take one as far as the Downs.

2067. In some cases as far as Portsmouth?—Yes, in some cases as far as Portsmouth; all packet ships take their pilots as far as Portsmouth.

*Jovis*, 30° *die Martii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Captain Scobell. |
| Mr. Chichester Fortescue. | Mr. M. Milnes. |
| Mr. Liddell. | Sir J. Anderson. |
| Mr. Meagher. | Sir Thomas Herbert. |
| Mr. George A. Hamilton. | Mr. Higgins. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *Delany Finch*, called in; and Examined.

Mr. *D. Finch.*

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2068. *Chairman.*] HAVE you made the passage to America?—Yes.

2069. Have you made more than one?—I have made two or three; but the last passage is the one with respect to which I wish to give the Committee some information.

2070. We are limiting our inquiries to the last 18 months; how many passages have you made to and fro in that time?—Only two; one to America, and one from it.

2071. In passenger ships?—Yes.

2072. From where?—From Liverpool to Quebec.

2073. State the name of the vessel, and the number of passengers?—The name of the vessel was the "Fingal," of the Blackball line, Captain Black, from Liverpool, on the 3d of September last, bound to Quebec. We were seven weeks on the passage. We had 200 passengers and 1,100 tons of railroad iron. The ship, to my knowledge, was not more than 990 tons register, and she was lost coming back.

2074. How did you go out?—As first cabin passenger.

2075. Have you had opportunities of seeing the condition of the third-class passengers?—Yes.

2076. Did it appear to you that the vessel was of a good height between decks?—She was; she a good ship; she was more than that between decks.

2077. Have you any nautical experience yourself?—No, not much; merely as an amateur.

2078. Was there much sickness on board?—There were 37 deaths, to the best of my knowledge, from cholera.

2079. Was there a medical man on board?—No.

2080. Were there medicines on board?—There were; but they were administered by parties quite incompetent to fulfil the duty.

2081. Did there appear to be a good supply of them?—Yes, there was. There was a hospital on board ship, which was not made use of; and those who were in good health, and those who were in bad health, were allowed to be together indiscriminately.

2082. Are you aware of the reason why it was not used?—The want of a medical man was the cause of it. If we had had a doctor we should not have had the same mortality, subject to Providence.

2083. Are you aware of the reason why the hospital was not used?—We had some very hard weather, and not having a surgeon the captain did not consider himself to have any controul over the passengers, further than to see to their safety. He did not consider himself bound to look after their health, and he refused, to my knowledge, to attend to the passengers when they were in bad health.

2084. Or to open the hospital to them?—The hospital was there, and they were

were all indiscriminately placed together; but he did not go down to attend to the passengers in some instances, and in some instances he did, although I am sorry to say it was more by favour than the regular conduct of the captain. I make that charge against the captain now, and I told him I should have an opportunity of proving it. I told him that if I once returned to England I would report the occurrences that, to my knowledge, took place on board.

2085. What answer did he make to that?—The only answer he made was, that I was to do my best.

2086. Was there a separation between the sexes?—I should consider not.

2087. Mr. *Meagher.*] Were there women and children on board?—Yes, we had Germans, Irish, and English.

2088. *Chairman.*] Were the men, women, and children all together?—Yes, all indiscriminately together.

2089. Did you see no exclusive male passenger space forward in the ship, or any place bulk-headed off for unmarried men?—No.

2090. No special place?—No.

2091. But men, women, and children all indiscriminately mixed on board?—Yes.

2092. How many did you see in the berths, or in any one berth?—Whatever way the berths had been put up, they might not be put up for more than one, but I have seen two or three in them. There were in the second cabin on the starboard side seven people, who had no berths, although they paid for their passage out, and were to have berths provided for them when they shipped on board. They were made drunk by the man-catchers and knew nothing till they were on board, and had got out about 100 miles to sea. I have seen them all mixed together.

2093. Did you see any place set apart for the unmarried females?—No.

2094. There was no provision made for their seclusion or separation?—No.

2095. Mr. *Hamilton.*] Were there many unmarried females?—About 60 or 80.

2096. Mr. *Liddell.*] Young women?—Yes.

2097. Mr. *Meagher.*] Did they seem to belong to any families on board?—No; most of our passengers were reshipped from a vessel which had put back to Cork. It had cleared out, and been out a few days. They were reshipped from the "Joseph Howe," which was wrecked. They lost their provisions, and were sufferers in other ways. They were shipped from Cork to Liverpool by Government, and then reshipped on board the "Fingal," of the Blackball line.

2098. *Chairman.*] On the passenger deck, from the mainmast forward, there was no space bulk-headed, or partitioned across in any way?—No.

2099. Did you go through that part of the ship after she left?—Yes.

2100. You had an opportunity from your own observation of seeing it?—Yes; when the disease was on board, and I wished to have an opportunity of seeing the occurrences myself, I was prevented by the captain from going to the fore part of the ship. I was commanded to remain upon the quarter-deck, because the captain did not wish me to give evidence hereafter. I could understand that that was the reason why he would not allow me the free control of my own actions on board the ship.

2101. Were you aware of the regulations of the Passengers Act?—No, I was not.

2102. Was the size of the berths and the space allotted to each person brought to your attention in any way?—No, because there was a great number of the passengers who had no berths at all. When we got out to sea, and the berths were broken down, they were not put up again till we got passed quarantine at Quebec.

2103. The berths were broken down?—Yes; they were nothing more than half-inch boards.

2104. Had you bad weather?—No; they were obliged in heavy weather to lie in the trough of the sea, but still the berths were not sufficiently fixed, and after about 10 days out at sea they were all broken down.

2105. Mr. *Liddell.*] By the action of the vessel?—Yes.

2106. Was it by the working of the vessel that the boards gave way?—Yes, because they had a large cargo of iron.

2107. *Chairman.*] She appeared to labour very much?—Yes; but we had a large cargo of iron which shifted.

2108. You said there were more than two in a berth?—There have been three, to my knowledge.

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2109. Captain *Scobell.*] Men or women?—That I cannot say, I took out a servant of mine, and his berth was broken up, and he was in another man's berth. That is to my own knowledge; I have gone down and found the sailors mixing with the passengers of the ship.

2110. *Chairman.*] Did the captain attempt to prevent them?—I do not imagine that he would allow it if he knew it.

2111. But he did not himself go amongst them?—No, he did not.

2112. Mr. *Meagher.*] Was it a single-decked vessel?—Yes.

2113. Was the passengers' deck permanently or temporarily laid?—Temporarily.

2114. *Chairman.*] How do you mean temporarily; describe it?—She was a vessel used for carrying heavy cargo, and only fitted up temporarily for passengers; she was not a regular passenger ship.

2115. Did the deck on which the passengers were appear to be well caulked?—She was pretty well that way.

2116. Sir *T. Herbert.*] Did she appear to be tight?—Yes.

2117. Mr. *Liddell.*] Was this last year?—Yes, last year, about September or October.

2118. *Chairman.*] What was the accommodation with regard to waterclosets?—There were two temporary places in the fore part of the ship.

2119. On deck?—Yes, and after a few days being out at sea they were all swept away.

2120. Sir *T. Herbert.*] By the weather?—Yes, but the weather was not strong; they were only put up temporarily; they were only put up the day before she sailed for Liverpool; I was on board two days before she sailed.

2121. *Chairman.*] They might have been knocked away by the seamen, as they sometimes are?—Yes, but not being permanent structures, they were more liable to be broken.

2122. Were there no closets below?—No, none. Poor people were obliged to come up with their nuisances over the side of the ship.

2123. Females and all?—Yes, before passengers.

2124. Captain *Scobell.*] And there were only those two waterclosets for the whole of the passengers and crew?—That is all.

2125. Was one appropriated specially to women?—No; women and men indiscriminately.

2126. *Chairman.*] Were there any means of concealing the person?—No.

2127. Were they open?—All open.

2128. Mr. *Meagher.*] Were there doors?—There was, but when once broken away they were not repaired.

2129. While they stood there were doors to them?—No, I can say not, because I have seen them several times after the doors were broken away with females and men in them.

2130. Sir *T. Herbert.*] Was the vessel visited by the emigration agent before she sailed?—She was.

2131. Mr. *Liddell.*] Who was the emigration agent?—That I do not know.

2132. She was regularly cleared by the emigration agent?—Yes.

2133. Were the male and female passengers mingled indiscriminately during the whole voyage?—Yes.

2134. And no attempt made to classify them?—No.

2135. Mr. *C. Fortescue.*] At the time the ship was cleared by the emigration agent, were the sexes mixed together?—There was one girl came under my notice whom the emigration agent would not allow to be a passenger in that ship, because she had sore eyes. The ship was not going to sail until the next day after the examination. When we were 20 miles off Holyhead I saw this young woman, and said, "What brought you on board?" so that she was on board without the cognizance of the emigration officer.

2136. Can you say whether at the time the emigration officer inspected the ship, the unmarried male passengers above 14 were berthed in the fore part of the ship in separate compartments or not?—They were not; there was no difference made to my knowledge.

2137. Mr. *Meagher.*] There was no separate compartment at all?—No.

2138. Sir *T. Herbert.*] Do you know the date of your sailing from Liverpool?—On the 3d of September.

2139. But

2139. But you do not know the name of the emigration agent?—No, I do not.

2140. *Chairman.*] Did it appear to you when the vessel was some time at sea, and encountered bad weather, that the deck was temporarily laid; did it appear to yield to the weight at all?—Yes; that was principally from the heavy cargo we had, which had shifted from starboard to larboard, and our captain was obliged to lie in the trough of the sea, and that broke or loosened our tenaces.

2141. Mr. *Meagher.*] What time did the cholera break out on board?—Ten days after we left.

2142. Mr. *Liddell.*] Just describe the scenes after the cholera made its appearance?—The first case was that of a Spanish girl, and she died.

2143. Sir *T. Herbert.*] Who attended her?—She was not attended at all.

2144. Did you see her?—No.

2145. Mr. *Meagher.*] Was there no stewardess?—No.

2146. Captain *Scobell.*] Were there no medicines on board?—Yes.

2147. Was any given to the girl?—Yes, I administered the medicines myself to the different passengers.

2148. What you believed to be best for cholera?—Yes.

2149. Were they specific medicines?—Yes, there were plenty of medicines on board, and disinfecting fluid.

2150. Are you a medical man?—No.

2151. Was the disinfecting fluid used?—It was.

2152. Mr. *Meagher.*] How long did that female remain ill of the cholera?—Two days.

2153. Did she die then?—Yes.

2154. How soon did they bury her?—There was one case came under my knowledge, where the body was six hours lying on the deck, and they could not get anybody to throw it overboard.

2155. *Chairman.*] On the upper deck or between decks?—Between decks.

2156. Mr. *Meagher.*] That was not the case of the Spanish girl?—No; I have heard the sailors refuse to throw the bodies overboard.

2157. Mr. *C. Fortescue.*] Did a second die, lying on deck?—Yes; and one case occurred where the body was not sewn up in canvas before it was thrown overboard.

2158. Mr. *Meagher.*] Thrown over in the clothes it had on?—Yes; not covered up, or anything else.

2159. Mr. *Liddell.*] Were they fearful of touching the corpse?—Yes; I considered the reason was because they were not paid.

2160. Mr. *Hamilton.*] Did the master of the vessel give any directions in those cases?—He did the best he could consistent with the safety of his ship, which he was obliged to consider.

2161. What did he do?—He has attended them, but not in a way I considered safe; he has administered medicines which I do not consider proper medicines to be used in the cases brought under my notice.

2162. Did he give directions to have the corpse sewn up in canvas, and thrown over?—No, he did not use his jurisdiction in that matter, because he said in the cabin, "We are not bound to do it; it is only according to courtesy."

2163. Mr. *C. Fortescue.*] You say you consider that the captain was very much to be blamed; in what respect?—I consider that if captains exercised proper control over the ship's company, and separated the sexes better, there would be more propriety in emigrant ships than there is; because I am sorry to say that young women who leave England or Ireland, or other parts, are frequently in a way before they land to become mothers before they are wives.

2164. Even without the separate compartment that the ship ought to have had, could the captain have managed better in that respect than he did?—Yes, I consider so.

2165. With regard to the sickness, in what way could the captain have alleviated the sufferings of those people?—I could not say.

2166. Did he neglect the sick passengers?—No; he did the best he could.

2167. Mr. *Liddell.*] The neglect seemed to you to have arisen from there being no surgeon on board?—Yes; the captain attended to them as well as he could.

2168. There was no medical officer on board?—No.

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2169. What number of passengers had you?—I think about 200.

2170. If you had only 200, you had less than the size of the vessel would have allowed you to carry?—Yes, but she had a cargo.

2171. But yet you had not berths enough?—No; a great many were lying or had their beds on the boards of the ship.

2172. Was she a vessel fitted up in a hurry as a substitute?—Yes, I should consider so.

2173. She was not a regular emigrant vessel?—She was not.

2174. She was fitted up hastily to supply the place of one that was lost?—I cannot say that. I consider that she was a vessel having cargo going out, and these passengers, who were reshipped from Cork to Liverpool, were put on board of her.

2175. Unexpectedly?—I should say so.

2176. The sexes being a good deal together, do you mean by night as well as by day?—Yes.

2177. Was there anything to prevent their being together in the night?—No, there was not.

2178. Sir *J. Anderson.*] You have spoken of abuses connected with the mixture of the sexes in emigrant ships generally; how have you acquired knowledge of that fact?—I have come to the knowledge of it because my father has some property in the South of Ireland, and I have had letters come home to me stating occurrences that have taken place; and then going myself, I have had an opportunity personally of knowing these cases. I have seen them.

2179. Those were letters from America?—Yes, that I have received relative to the conduct pursued of several captains.

2180. From emigrants who have gone out?—Yes.

2181. Mr. *Meagher.*] Can you state any further particulars with regard to the sickness, until the 37 deaths occurred?—When we got to Quebec, Dr. Douglas came on board. In passing Grosse Island, which is the quarantine station, we had up our flag of sickness, but no flag was on the island to answer us. Therefore, instead of stopping we went on to Quebec, and dropped anchor there on the 22d of October. Then we stopped Saturday night and Sunday, and on Monday we were sent back again. I was two days on shore, but that was a favour.

2182. You were sent back to Grosse Island again?—Yes, to the quarantine ground, and we had everything proper shipped for the captain's cabin, but nothing shipped for the poor people, and they really wanted it. We were sent back to Grosse Island, and encountered a very heavy gale in the gulf, and were kept there four or five days, and then she went up.

2183. Was there a medical inspection on your arrival at Quebec?—Yes.

2184. *Chairman.*] Was there one at Grosse Island?—No.

2185. Was there any surgeon sent back with you?—No, there was a doctor on the island.

2186. And he took charge of the patients?—Yes.

2187. Mr. *Meagher.*] What was the amount of sickness on board?—There was not any regular account kept. The mate was lost coming back, and there was no regular account kept; coming back the log was not kept properly. There were 17 more people in the ship than there was on the ship's papers.

2188. Can you say how many were landed, and brought to the hospital at Grosse Island?—There were only five taken to the hospital at Quebec.

2189. *Chairman.*] Were any landed at Grosse Island?—Yes, there were about 190.

2190. Out of those how many were sick?—I should say about 160 or 170 landed.

2191. How many died?—About 41.

2192. Mr. *Liddell.*] How many died at sea?—Forty-one.

2193. Including those who died on the island?—Yes.

2194. *Chairman.*] How many died on the island?—None; they all got over it. I was two days sick of the cholera myself. There was no regular account kept. There were parties shipped on board the vessel, who were concealed, and who had no right to get away.

2195. Sir. *J. Anderson.*] Did you not say that 37 died?—Yes, but 41 I say, because there was a difference of 17 between what were in the ship on an examination afterwards, and those on her papers. The log was not properly kept; there were a great many more parties on board the ship than ought to have been.

2196. Sir *T. Herbert.*] When the emigration officer cleared you, he cleared a certain number of passengers?—Yes.

2197. And beyond that number how many were there?—That I cannot say exactly, but there were many persons who turned up afterwards, sometimes out of barrels and everything else.

2198. You do not know the number?—I cannot say.

2199. Were there five?—I should say so.

2200. Mr. *M. Milnes.*] Were there any threats of complaints being made against those abuses?—Yes, there were.

2201. Were any of them carried out; were any complaints formally made?—No.

2202. Mr. *Meagher.*] Was there any prosecution at Quebec?—No. I had a prosecution against the steward of the ship for abuse and assault, but that was on another subject; but I saw a great deal of abuse and assaults committed improperly.

2203. What were the circumstances of your case, in which you prosecuted the steward?—For selling me drink on board the ship, and when I asked him for change, giving me a stroke across the face.

2204. What was the issue of that prosecution?—The issue was, that the captain asked me to drop it, and said, I would oblige him if I did so.

2205. Sir *T. Herbert.*] Were you visited by the emigration agent at Quebec?—There was a gentleman came on board, but I do not know that he was the emigration agent.

2206. Did he muster the crew?—He did.

2207. Do you know his name?—No.

2208. Did he make any remark?—He made a remark to the captain.

2209. Did he ask you anything?—No.

2210. Did he ask if there were any complaints?—No.

2211. Do you know whether he was the emigration agent?—I cannot say that.

2212. You do not know whether he was the emigration agent or not?—The captain told me he was the emigration agent.

2213. Where did he come on board?—He came alongside in a small boat with a flag in it.

2214. At what place?—At Quebec.

2215. You state that you can prove that 37 passengers died, and you believe more?—Yes.

2216. How many cases of cholera occurred?—I should say 100.

2217. You think there were 100 cases?—Yes.

2218. One hundred cases of cholera occurred?—I should say there were premonitory symptoms in 100. Those persons who were taken with cramps went off at once.

2219. None of those recovered?—No. I had it myself for two days, but I had a medicine chest of my own.

2220. You yourself were affected with premonitory symptoms?—Yes.

2221–2. Do you consider in those cases where proper attention was paid to the premonitory symptoms, that generally the parties taken recovered?—Yes, I certainly say so.

2223. *Chairman.*] You infer, therefore, that some cases of neglect took place which led to the deaths of the parties attacked?—Yes; I should not like to give an opinion, but my impression is, that Epsom salts and castor oil are very improper medicines to administer to persons labouring under the cholera.

2224. Captain *Scobell.*] Is that what they gave?—Yes.

2225. Mr. *Liddell.*] Epsom salts and castor oil?—Yes, and 35 drops of laudanum, and then rubbing a man's face with vinegar.

2226. Mr. *C. Fortescue.*] Who administered those medicines?—The mate of the ship, the captain and steward.

2227. Was the captain aware that those medicines were administered to cholera patients?—Yes.

2228. Sir *T. Herbert.*] You know that of your own knowledge?—Yes.

2229. You saw it administered?—Yes.

2230. Mr. *Hamilton.*] Did you make any remonstrances when you saw salts administered in cases of cholera?—I have made remonstrances, but they were not attended to.

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2231. Have you made representations to the captain that medicine of that kind was all but poisonous?—Yes, and he has told me to hold my tongue.

2232. Mr. *Liddell.*] Did any of the patients who received Epsom salts and castor oil with these symptoms recover?—Yes, they have, but not generally.

2233. When this disease appeared, did several cases occur simultaneously in the same day?—Yes, we have had from three to five deaths in the same day.

2234. Never more than five cases?—Three, not more, in the 24 hours.

2235. What was the ordinary duration of the symptoms?—Three days.

2236. Captain *Scobell.*] You have stated, after getting to sea, that the two privies on deck were destroyed?—Yes.

2237. And that there were none below?—Yes.

2238. What was the remedy?—There was no remedy for them. In Liverpool, when they got to those houses they were shipped by crimp serjeants, who introduced them to the emigration agent and the officer of the ship, and they were provided with a certain lot of utensils.

2239. In consequence of that was there a very bad smell below?—You could not stand below.

2240. Do you mean from the badness of the smell?—Yes, and from want of cleanliness.

2241. You stated that one of the patients died, and in fact on deck, and that nobody threw the body overboard?—Yes, between four and six hours.

2242. Did they attend to the patients when they were sick, or did the passengers attend to one another?—They were afraid of the disease in the first place, and did not think it was a duty they were bound to perform, and they left it to any person of feeling to do what they thought proper.

2243. Was there no steward or stewardess whose business it was to attend on the emigrants?—No one.

2244. Are you quite sure of that?—Yes, unless they were paid for attendance.

2245. Sir *T. Herbert.*] How were the provisions cooked?—Our galley was swept away also, and for several days they had to get their provisions cooked in the open air, shipping seas at the same time.

2246. Was there a cook?—There was a cook provided for the passengers.

2247. *Chairman.*] The galley was on deck?—Yes.

2248. Sir *T. Herbert.*] Was the galley, in the first instance, large enough to cook for the whole of the passengers?—No, it was not; there was an unfortunate case of stabbing on board relative to the cooking, because they had Germans, Irish and English together.

2249. How are the provisions served out?—Every Saturday.

2250. *Chairman.*] Then they were not served out cooked?—No.

2251. Passengers had to have them cooked as they could?—Yes; a cook was provided and told to keep a fire, but not to cook for them.

2252. There must have been a good deal of struggling?—There was, and you could not get into the galley.

2253. There would be great difficulty for feeble men or women to get into the galley?—I have known, to my own knowledge, a person to be three days without eating a bit.

2254. Captain *Scobell.*] From not being able to get it?—They had the food, but they could not get to the cooking place, and they had no one to attend to them.

2255. *Chairman.*] Did the cook extort money for cooking?—I am not aware of it.

2256. Mr. *Liddell.*] When did you make your return passage?—I came home on the 18th or 19th of September last.

2257. In what ship?—The "Columbia."

2258. One of the regular packets, or an emigrant ship?—She is an emigrant ship.

2259. Were the accommodations on board that ship very superior to the other?—Much worse; one was an English ship.

2260. Which was the worst?—The American was, a great deal.

2261. That is the "Columbia"?—Yes.

2262. In what respect can you say that she was worse than the other?—We had very severe weather; but, in the first place, we had permanent waterclosets on board the American ship, which we had not on board the English ship.

2263. In

2263. In that respect she was better?—Yes.

2264. In what respect was she worse?—We had a captain who, whenever he chose to give you a blow with a rope, or anything else, would do so.

2265. Mr. *Meagher.*] You are speaking now with regard to the discipline, not the accommodation?—Yes.

2266. *Chairman.*] Confine yourself to the arrangements below; the berths, for instance?—They were permanent.

2267. Mr. *Liddell.*] With regard to the cooking?—You cook for yourself on board all American ships.

2268. *Chairman.*] Was access to the galley easier?—Yes; the galley was firmly situated.

2269. Mr. *Meagher.*] How many passengers had you?—Only 38.

2270. Sir *T. Herbert.*] Merely steerage passengers?—No; second cabin passengers.

2271. Mr. *C. Fortescue.*] Did you see the accommodation for the passengers on board the "Columbia"?—Yes.

2272. Did you go through those parts of the ship?—There was very good accommodation.

2273. Were there separate compartments?—No separate compartments.

2274. Were there good berths?—No.

2275. Should you say that the preparations for passengers on board the "Columbia" were better or worse than on board the "Fingal"?—I should say that they were better in one sense, and worse in another. On board the "Fingal" you had only temporary berths; you had the same in the other, only you were always sure of not having the water come down on you. In the "Fingal" it did come down on washing decks.

2276. *Chairman.*] Was that by reason of a kind of housing over head?—Yes.

2277. Were the provisions good in quality on board the "Fingal"?—No, nor was there a proper allowance there.

2278. Was the bread good and the biscuit?—No.

2279. Was meat served out at all?—There was by paying sixpence a pound for it.

2280. Was meat served out without payment?—No; and you only got eight ounces of sugar to the pound; I know that in two or three cases.

2281. Defective weight?—Yes.

2282. Were the articles generally good, or generally bad, and which were the worst?—I think generally good.

2283. Now, with regard to water, were three quarts of water issued daily?—No.

2284. How much was it deficient?—Two quarts of water were given to three parties; that was after being six weeks at sea.

2285. At first were there three quarts of water?—Yes.

2286. Was the water good?—Yes.

2287. How many days were you at sea?—Forty-nine.

2288. The Act provides that the scale should be for 70 days, and having been only 49 days, and being short of water, there was evidently not sufficient water?—No, there was not.

2289. The bread was good; was the quantity issued regularly?—No, it was not.

2290. It was deficient?—Yes.

2291. Throughout the passage?—It was.

2292. Now, as to the quantity of flour, oatmeal, rice and sugar?—Wheaten flour and oatmeal is the principal food issued to the passengers.

2293. Were they good in quality?—Yes.

2294. Were they sufficient in quantity?—Yes.

2295. The sugar, tea and cocoa?—No, they were all short.

2296. There was no meat issued then, save to those who paid for it?—No; sixpence a pound you have to pay, and then you get very good meat.

2297. Sir *J. Herbert.*] Did you weigh these articles?—No, but I have been looking on the quarter deck at the steward delivering provisions to the passengers.

2298. Were they issued out by weight?—Yes, and then by a small tin measure they have they weigh the sugar. They have a measure that holds so much,

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and if you do not know the thing yourself, you do not know what you get; I have seen the steward do it, and then he pockets the difference himself.

2299. *Chairman.*] Did any of the passengers complain to the master?—Yes.

2300. Did they get any redress?—No.

2301. Mr. *M. Milnes.*] Was it your general impression that it would be very difficult for any emigrant who had just cause of complaint against the captain of a ship to get any redress?—Not in Canada.

2302. Do I understand that redress in Canada could be easily got?—No, you cannot get it; you can get no satisfaction there. On this side of the water you can, but not there; because the captains have their agents and different parties.

2303. Explain what you mean by that charge?—I can give you nothing further than a general outline of it; if you make a complaint there, it is hushed up more, and emigrants, if once they land, if they have any complaints to make, are kept away from where they can apply for redress, taken away by different parties belonging to the ship.

2304. Can you state any case in which you knew these abuses to exist?—I had a very good case myself against the steward of the ship, and when we were out at sea the captain insisted that I should prosecute; but when I landed, and was going to prosecute, the captain did everything he could to buy me over, and that is the general thing.

2305. If you are rightly understood, you gave up that prosecution, as you say, to oblige the captain?—Yes.

2306. Did the captain use any improper influence to persuade you to do that?—No.

2307. Mr. *Liddell.*] Did he give you any money?—No.

2308. Mr. *M. Milnes.*] How do you connect that with the assertion that the captains have agents who prevent people from getting redress?—They generally have; for a few shillings, or a dollar or so, they can always bring an Irishman, and the man comes up and says, "Good morning, Paddy," and he gets him away from that neighbourhood. Your good intentions are all gone in a glass of wine or a glass of rum. That is what I mean. Instead of bringing a charge against the captain, or liking to take your own redress, which you are very much inclined to do on board ship, when you land a fellow-countryman says, "Where are you from?" (Tipperary, Cork, or any other place), and then they take you off.

2309. You mean this: that supposing there is an emigrant who wishes to bring a charge against a captain, that then the captain finds some friend there who tries to get over the emigrant?—Yes.

2310. That is all?—Yes.

2311. Your charge does not amount to more than that?—No.

2312. Mr. *C. Fortescue.*] Who is to blame, the authorities or the emigrants?—A stranger is not so well acquainted with the means of obtaining redress as others.

2313. Mr. *M. Milnes.*] Supposing an emigrant should not wish to be got over in this way, but wished to get redress, and persisted in it, could he get that redress easily?—He can, but not to the same extent as here.

2314. Do you think that there would be any want of justice or activity on the part of the authorities to give it to him?—No, but there are more obstacles placed in your way there than there are in England, because the humblest man in England can get redress.

2315. We desire to know what those obstacles are; whether they are anything more than setting people to persuade the emigrant?—Yes, they get them to persuade him, and then the emigrant is led away by those parties; whereas if the emigrant had only to speak to a policeman he would be all right.

2316. Do you mean that the emigrant on that side of the water is in a more helpless position than he is here?—Yes.

2317. Mr. *C. Fortescue.*] Have you ever known of an emigrant making a complaint of his treatment on board ship to the emigration officer or to the officer of customs, or to a justice of the peace at Quebec?—No, I have not.

2318. *Chairman.*] Have you seen the emigration officer come on board?—Yes, nominally; I have been told that he has been such, but I did not know it.

2319. The captain told you so?—Yes.

2320. When that person came, did any of the emigrants make complaints to him?—No, not to my knowledge.

2321. Did

2321. Did you hear them say that they wanted to make complaints?—Yes.

2322. Are you aware why they did not?—I am not aware.

2323. How long did he remain on board?—Two hours.

2324. Was there any other official authority on board, to whom complaints might have been made?—No, there was not.

2325. Then, the passengers went on shore?—Yes.

2326. The moment they went on shore they dispersed?—Yes.

2327. Did they go to a depôt?—No, they went to their own places.

2328. They had a Government officer two hours on board, or a person who was pointed out to you as such, and they made no complaints?—No; they made complaints to the captain, not to him.

2329. Did they make any complaint to the captain while this officer was on board?—No.

2330. Did they know that this person was the emigration officer?—Yes.

2331. And made no complaint?—No.

2332. Sir *T. Herbert.*] You stated that you had a complaint yourself, but that the captain offered to bribe you not to follow it up?—He offered me no compensation further than friendship. He said, "I have done all I can for you, and have made you as comfortable as I can: let the fellow off."

2333. He did not offer you any money?—No.

2334. Captain *Scobell.*] He coaxed you?—Yes.

2335. How long were you in Canada on this occasion?—Two months.

2336. Did you go out on business?—Yes, and pleasure.

2337. You quarrelled with one of the mates in going out?—With the steward.

2338. Did you quarrel with the captain on the passage out?—No.

2339. Did you on the voyage home?—No.

2340. *Chairman.* Did you not quarrel with the captain on account of the treatment of his passengers?—Yes, but not to bring me under the law.

2341. Was the "Fingal" in the dock when the emigration officer visited her, or in the river?—Lying in the river.

2342. How long in the river?—About 16 hours.

2343. After he left?—Yes.

2344. Did boats come alongside after he left?—Yes.

2345. With passengers?—Yes.

2346. But before he came, passengers came off in boats?—Yes.

2347. Did any steam-tug bring passengers on board the vessel?—Yes.

2348. Was she employed by the owner of the vessel?—She was employed by the agent.

2349. Have you any means of knowing that the fact of her having 1,100 tons of iron on board, was brought to the knowledge of the inspecting officer at Liverpool?—I am not aware of that.

2350. There is a section in the Act which calls his attention to it?—I am not aware of that.

2351. He is authorised to object to iron in very large quantities?—The only thing relative to that is, that the iron was not properly settled, and I consider it to be the duty of the emigration agent to look after that. The cargo shifted.

2352. About what time of the voyage, the twentieth or thirtieth day?—About the fourteenth or fifteenth day.

2353. And the ship then took a list?—Yes.

2354. Much?—Yes, near as much as to send us to the bottom, and to break the ship all to pieces.

2355. She took a permanent list?—Yes; they were obliged to lie in the trough of the sea, instead of being allowed to go to face the wind, because we had got the iron shifted.

2356. Taking a list with the ballast, she kept that list?—Yes.

2357. When the inspecting officer was on board in the river, did he muster the passengers?—Yes.

2358. Did he muster the crew also?—Yes.

2359. Did he make any remark on the passengers or crew?—No, he made no remark; we had a very good crew.

2360. Mr. *Meagher.*] What number?—Twenty-six men.

2361. Were there boys in that number?—No, they were all able seamen.

2362. *Chairman.*] That is to say, foremast men; you do not count the officers in that at all?—No; there were 26 able seamen to work the vessel.

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2363. Mr. *Meagher.*] Were there any regulations posted up in any part of the ship as to dietary, or anything else?—No.

2364. *Chairman.*] Had she any deck cargo?—No.

2365. There was no species of housing over the hatchway, as there was in the American vessel you came back in?—No.

2366. Was the hatchway ever closed altogether?—It was; but it was not long closed; it was obliged to be opened again, because the people could not live in it, and then when we shipped a sea it came down below, breaking away the berths and everything.

2367. On the return voyage you had only 38 passengers?—About 38.

2368. Were they all cabin passengers?—They were all second cabin passengers.

2369. When you came across the Channel to take ship at Liverpool, did you come from Dublin to Liverpool?—Yes.

2370. Were there parties going over to emigrate, on board?—Yes, about 300.

2371. Deck passengers?—Three hundred on deck.

2372. What was the name of the vessel?—The "Windsor."

2373. Did she sail from Kingstown?—No, the North Wall. The sexes were all intermixed together.

2374. What hour did you leave the river at Dublin?—About six in the evening.

2375. In the beginning of September last?—The 20th of August.

2376. What was the duration of the passage?—Thirteen hours.

2377. Was there bad weather?—No, not at that time.

2378. Was it a fine night?—Yes.

2379. Did you come on deck during the night?—Yes.

2380. Did you see whether the emigrants were under any cover?—No, they were not under cover; nor are they generally coming over from Dublin to Liverpool.

2381. To your knowledge they are not?—No, I have several times come over from the city of Dublin.

2382. Did any of them appear to suffer much?—No.

2383. Were there any complaints amongst them?—No, they are not attended to at all.

2384. You say that the disinfecting fluid was used; was it used often?—Yes, it was; but I consider that a great deal of the sickness was caused by the want of ventilation.

2385. Was the ventilation bad?—Yes, because when there was a heavy sea they were obliged to put down the hatches.

2386. There was no tubing or apparatus?—There was one aft.

2387. Where did it lead down to?—It went down to the deck, where the third class steerage passengers were.

2388. Mr. *Meagher.*] What kind of tube was it; was it of iron?—Yes; it turns round any way to the wind.

2389. *Chairman.*] Were there wind sails down the hatchways?—Yes, but they were not used.

2390. Mr. *Meagher.*] Was there any record kept on board of those deaths you have mentioned?—When we got to Quebec, I and Mr. Leifchild, a gentleman who was in the second cabin, had to put down the names of the parties who died on the voyage, but it was more guess-work than certainty.

2391. You had to put them down, by whose desire?—The captain's.

2392. *Chairman.*] On what day of the voyage did you say the water fell short?—The water fell short after we had been out about 30 days.

2393. Did the provisions fall short?—No, there were plenty of provisions.

2394. Sir *T. Herbert.*] Was not the weather pretty cold before you got into the St. Lawrence?—Yes; we were 10 days tossing about both sides of the St. Lawrence, 150 miles from Quebec.

*Martis, 4° die Aprilis*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Captain Scobell. |
| Mr. Peel. | Mr. Meagher. |
| Mr. C. Fortescue. | Sir T. Herbert. |
| Mr. Liddell. | Sir J. Anderson. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Captain *Frederick William Beechey*, R.N., called in; and Examined.

Captain *F. W. Beechey*, R.N.
4 April 1854.

2395. *Chairman.*] HAVE the goodness to state to the Committee the nature of the office you hold, and its duties?—I am connected with the mercantile marine department of the Board of Trade.

2396. Is it part of your duties to go down when the Board of Trade desires an inquiry into the loss of any vessels?—On any special inquiry the President would send down an officer from our department.

2397. Have you been down recently?—On a late occasion I went to inquire into the loss of the "Annie Jane."

2398. Do you consider that that vessel ought to have gone to sea with such a crew as she had?—I have already reported on the "Annie Jane," and had better refer you to my report.

2399. Captain *Scobell.*] You reported the "Annie Jane" to be 1,294 tons burthen, with a crew consisting of 41, including stewards; whom did that include?—Everybody entered on the agreement; I do not consider the apprentices as being on the agreement.

2400. Including the stewards?—It included everybody on the ship's agreement.

2401. In another part of the report you say, after deducting those who were non-efficient for the management of the vessel, and keeping watch, it left 32 seamen, of whom 18 were Canadians?—It left that number after deducting the mates, stewards, surgeon, cooks and carpenters.*

2402. The greater part of the Canadians in the hour of need were useless?—Yes, that was so by the evidence.

* *See* p. 5 of the Report.

2403. It would be very material, for the guidance of the Committee, if you could give your opinion as to the crew, and the number that emigrant vessels ought to have for every 100 tons?—I should think that, under those circumstances, and especially in the winter time, they ought not to go with less than four men to the 100 tons.

2404. By four men, do you mean four men keeping watch?—Four effective men.

2405. Not counting stewards and cooks?—No, efficient seamen, and in this I include the executive officers.

2406. Not including boys?—Not including boys, unless they are efficient; for boys are sometimes rated as such, although they are really men.

2407. Supposing there were boys, would you include them?—Boys under a certain age I should exclude.

2408. Now, as to the description of men, first of all; do you think there is any necessity that the whole crew should consist of either English, Irish, or Scotch, and not foreigners?—I think it does not matter what nation or country they belong to, so long as they are qualified seamen, and can understand the orders properly; they should not be Africans or Asiatics.

2409. Was it not the case that some of those 18 Canadians could not speak English sufficiently well to understand orders?—It did not appear by the evidence that they could all understand English; the evidence was conflicting about them. They could understand when they were quietly spoken to by the

Captain *F. W. Beechey*, R.N.

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emigration officer as to their names, and so forth; but when they were working the ship they did not understand the orders that were given.

2410. The names of the ropes, or other things of that kind?—Yes; and it is a very different thing giving an order on board ship, to men some distance off, unaccustomed to the language, or who are accustomed to work their own ships by orders given in French; and although they could understand English quietly spoken to them in Liverpool, yet, in the hour of difficulty, they did not seem to understand. I beg it to be observed that I am speaking entirely from the evidence given on that inquiry.

2411. You recommend four working men to every 100 tons; that, for instance, for 1,000 tons would be 40 men; what proportion ought to be able seamen?—Two-thirds; or if they carry less, the others should be ordinary seamen, and not landsmen.

2412. The others should be ordinary seamen, and none of them should be landsmen?—I do not think there would be any obejction to some landsmen, but I would not have a large proportion.

2413. But still a very small proportion?—I would not have a large proportion.

2414. You would have a small one?—I presume you are now asking, with reference to emigration ships which leave this country in the autumn, in the bad season of the year, when the seamen are immediately required at their duties.

2415. The question referred to all seasons of the year, but especially to the bad season of the year, taking the chances of gales of wind, and difficulties, whether it was not necessary to have an efficient crew?—Yes.

2416. Mr. *Peel.*] Do you mean that in the summer months you think three men to the 100 tons sufficient for an emigrant ship?—No, I did not say so.

2417. In the summer months do you think three to the 100 tons would be sufficient?—No, I do not think a ship is well and properly manned with three to the 100 tons.

2418. Would you require that no emigrant vessel should leave this country without having four men to the 100 tons?—In the autumn, certainly; and in the summer, in fine weather, you might have between three and four; it would very much depend on the rig of the ship, and the efficiency of the crew altogether. I would rather leave that to the emigration officer.

2419. *Chairman.*] There is very often heavy weather in the Atlantic during summer?—Yes.

2420. Sir *T. Herbert.*] Would you make any difference between a vessel of 900 tons and a vessel of 1,500 tons, as to the proportion of her crew to the 100 tons?—I think not between those two tonnages.

2421. Captain *Scobell.*] Is it not the fact that the Canadians in question, when the bad weather came on, were almost useless?—Yes, from the evidence they appeared to be so; they were afraid to go aloft.

2422. Do you know whether that was from fear or from cold?—We are told in the evidence that they were afraid.

2423. Does it fall within your duty to scrutinize the efficiency of a crew before a ship sails?—No, we have nothing to do with that.

2424. The inspecting officer does that?—The emigration officer; we have nothing to do with the emigration ships.

2425. Before a vessel proceeds to sea, when the inspecting officer goes on board to examine the crew as to their efficiency, instead of the crew being merely mustered, and asked a casual question or two, and taking their own word as to their abilities, would it not be better to put them all at the foot of the rigging, and for them, on a certain signal, to go aloft?—I think it very undesirable to legislate on that point; but I think the emigration officer has sufficient power in his own hands, at the present moment, to satisfy himself as to their efficiency.

2426. Would it be desirable that the Emigration Commissioners should recommend the officers to take some more efficient means than merely mustering the crew, and asking any questions they please?—They can give directions to their officers to a very great extent, and they have the power of withholding the clearance unless they are satisfied that she is seaworthy and has an efficient crew. It is for the officer to satisfy himself of their efficiency, and it will rest with him; he may take what means he pleases, but he is responsible for his own actions, for he might make it irksome and vexatious.

2427. Mr. *Peel.*] You would leave the emigration officer the same latitude of discretion that he now has under the section of the Act, having reference to the efficiency of the crew?—Yes.

2428. Sir *T. Herbert.*] Do you think that this Act can in any way be improved?—There are many things which are desirable, but which would not be practical, or perhaps prudent.

2429. Do you know whether the emigration officers muster the men by the ship's articles?—I should suppose they do.

2430. In the ship's articles is not the qualification of each man put down, stating whether he is a seaman or landsman, and his efficiency, and the pay that he gets?—Yes; the agreement states the rating and the wages, but not his efficiency.

2431. *Chairman.*] What was the quantity of iron on board the "Annie Jane"?—Eight hundred tons.

2432. On 1,300 tons burthen?—Yes, nearly.

2433. You state in your report that out of 17 vessels which put back to Cork, damaged and leaky, 13 were laden with iron; and out of a number of vessels which put back to Liverpool, seven-ninths were laden with iron?—Yes, those are from the reports and returns of the Collectors of Customs.

2434. You also state what has been given in evidence before, that it is a most dangerous cargo; would you not recommend that there should be some further restriction than at present exists upon the amount of iron loaded in these vessels?—I have recommended, and I think it very desirable, that there should be great care taken in the stowage of iron and other heavy goods. I have recommended that there should be an officer appointed by the Emigration Commissioners expressly for that purpose, and I believe such an officer has been appointed.

2435. Was that in consequence of your report?—It was subsequently to my report.

2436. He has been appointed?—Yes; I believe so.

2437. By the last Committee of 1851, it was recommended that no vessel should be allowed to carry more than two-thirds of her registered tonnage in iron; do you think that two-thirds is too large a quantity?—No, I think not; I think it depends more upon the position of the iron than upon the quantity.

2438. Mr. *Peel.*] Cannot the emigration agent object to the quantity under the existing Act?—He can object to anything which he thinks will render the ship unseaworthy.

2439. Can he object to the manner in which iron is stowed?—Yes; he can order it to be taken out and re-stowed, or withhold the clearance.

2440. *Chairman.*] Are you quite clear that he has the power to alter the stowage below; he has the power as to the deck, but it is doubtful whether he has the power under the Act to alter the stowage below?—He can withhold the clearance until the ship is seaworthy; he is responsible for what he does. He must take care that he is within the law; but if he has just reason for supposing that the ship is unseaworthy, he can, in my opinion, withhold the clearance.

2441. Are you aware that he has been subjected to actions for doing things which were not prescribed by the law, but which were left within his discretion to do?—I have heard that there has been a prosecution lately at Liverpool, but I am not aware of the result of it.

2442. Would it not be advisable that there should be an enactment, giving him positive directions, and not making it a matter of discretion?—I consider it very desirable that the clearing officer should have power to withhold the clearance, until he is satisfied, on just grounds, that the ship is seaworthy and efficient in all respects. I would rather leave it general than go into any minutiæ.

2443. Captain *Scobell.*] But, inasmuch as the officer at one port and the officer at another may take different views as to the number of crew, the number of able seamen, and the stowage of the cargo, how can you get an uniform practice without either some enactment or written instructions from the Emigration Commissioners?—You might name a minimum of crew, but its efficiency must depend upon the officer's own judgment. The same number of men in two different classes of ships would be very different; one would be efficient and the other would not. You might put into your Act the minimum number of crew as to seamen, but you must leave their efficiency to the officer.

2444. Should not the emigration officers, or some other authority, have written instructions, so as to arrive at uniformity, after proper consideration from those who issue the instructions; because one officer might like the iron stowed high,

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and another low in the vessels?—I have recommended, that at the great ports a public stevedore should be appointed. He is the person who takes care to see that the cargo is stowed properly. He should be a man accustomed to his work, and the best who could be got for the purpose, and upon him must rest the responsibility of the stowage being good. If he were looked to by the emigration officer for the stowage, if he saw anything wrong or improper in it, he would represent it to the emigration officer, and the clearing officer would be directed to withhold the clearance, unless the improper part of the stowage was remedied.

2445. Would you leave it to the judgment of each stevedore to carry into practice what he thought best?—There can be but one opinion about the stowage of iron, that it should not lie altogether in a mass.

2446. Sir *T. Herbert.*] Should it not be winged up?—It should be chequered and winged in a way so as to spread it all over the ship equally. If it is not stowed in that manner, the ship cannot be an easy ship.

2447. Are these stevedores intelligent or educated men?—From what I have seen of them they are not educated men, but they are men of experience.

2448. They are practical men?—Yes.

2449. Do you know what their remuneration is?—Not at all.

2450. Are not some of the reports on this subject calculated to convey the idea that they are not sufficiently paid, so as to get the best kind of men?—I am not at all aware of what their wages are.

2451. *Chairman.*] You are of opinion, as you stated in your report, that the "Annie Jane" had her iron stowed in a way which you would not exactly approve of; the emigration officer having already sufficient power to alter stowage which may be dangerous to a vessel and her passengers, do you recommend any further legislative interference to protect him afterwards against the consequences of actions?—Men may view differently what is considered seaworthiness; I am not aware of the verdict of the jury in the case to which you allude with regard to the emigration officer at Liverpool having had an action brought against him for detaining a ship; but, in my opinion, if the emigration officer has power to withhold the clearance until he sees that the ship is perfectly seaworthy, and efficiently manned, that comprises everything that would be requisite; but if the Committee are of opinion that under the present law a jury would not support him if an action was brought against him, then, of course, further legislation must be resorted to.

2452. Mr. *Peel.*] Where is the power given to the emigration officer to withhold his clearance because the ship is not seaworthy?—It is the 16th and 26th sections under which he has that power.

2453. Do not these sections make his power of withholding a clearance depend upon the certificate of the surveyor of the vessel as to its being seaworthy?—Yes.

2454. Is that survey made before or after the vessel has its cargo on board?—The first survey is made before; when the ship first offers herself for passengers; the surveyors go on board before anything is in her: the surveyors are appointed under the Emigration Board.

2455. The surveyors having under these sections reported the vessel to be seaworthy, would the emigration officer be justified afterwards, or be empowered under these sections to withhold his clearance, because in his opinion, and without reference to the report of the surveyors, the vessel was unseaworthy, in consequence of the manner in which the cargo had been stowed?—I take the report of the surveyors to refer to the strength of the ship in the first instance; then the clearance is not given till the ship is ready for sea, and the emigration officer has satisfied himself that she is in all respects seaworthy.

2456. Where is that power given?—I should take the whole of this section 26.

2457. *Chairman.*] Under section 16?—Yes, and the 26th.

2458. In the memorandum on the Passengers' Act there is this passage: "This survey has reference to seaworthiness as regards the hull and equipment of the ship, and not as regards the quantity, quality, or stowage of the cargo, which is left exclusively to the decision of the emigration officer himself." In corroboration of that view we have section 16, dealing with the question of cargo; if section 16 provided sufficiently for the stowage of cargo, there would have been no necessity for the subsequent section, 26. Does it not appear to you that section 16 refers only to the seaworthiness of the hull and equipment of the ship, and not to the stowage of the cargo?—In the first instance, certainly.

2459. Mr.

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2459. Mr. *Meagher.*] Do you not consider that the seaworthiness of the vessel may be materially affected after the surveyor's inspection by the nature of the cargo which may be put on board?—Certainly, but she has to undergo another inspection before she is cleared.

2460. Sir *J. Anderson.*] Refer to the 25th and 26th sections also?—The 16th and 26th sections taken together include the whole.

2461. Do you think that those two sections give the emigration agent complete power to refuse a clearance unless the ship is seaworthy in all respects?—Yes, I should think so. The 16th section refers, in the first instance, to the hull, and the efficiency in that respect. We have afterwards, in the 26th section, "No 'passenger ship' shall clear out or proceed to sea if there shall be on board as cargo any horses, cattle, gunpowder, vitriol, lucifer matches, guano, green hides, *or any other article*, whether as cargo or ballast," which of course would include iron, "*which by reason of its nature or quantity* shall be deemed by the emigration officer at the port of clearance *likely to endanger* the health or lives of the passengers, or the *safety of the ship.*"

2462. Mr. *Peel.*] Supposing he has no objection to make to the quantity of the cargo; supposing the quantity to be unexceptionable, but the manner of its stowage to be such as to endanger the safety of the ship, could he, under that section, interfere?—Yes, because it says, "nor unless the same be stowed and secured to the satisfaction of such emigration officer," and, as before mentioned, which by reason of its nature shall be deemed likely to endanger the safety of the ship.

2463. Are you aware that the clause about the stowage of the cargo has reference only to that part of the cargo which is carried on the upper deck, or on the passengers' deck?—I should take the 26th section to apply to the whole cargo.

2464. Notwithstanding the words are, "no part of the cargo, or of the provisions, water, or stores, whether for the use of the passengers or of the crew, shall be carried on the upper deck, or on the 'passenger decks,' unless in the opinion of such emigration officer it shall be so placed as not to impede light or ventilation, nor interfere with the comfort of the passengers, nor unless the same be stowed and secured to the satisfaction of such emigration officer"?—Yes; if there is any doubt about it, it would be much better to refer those clauses to the Attorney-general.

2465. Mr. *Meagher.*] Would it not be desirable to have the doubt removed, so that the emigration officer should have clear power to interfere with the stowage of the cargo both on the passenger deck and below?—If the Committee are of opinion from the evidence that it is necessary that the cargo should be stowed in a particular way to render the ship seaworthy, and that it would be proper to alter the Act if there were any doubt about it, to meet that case, it would be proper to refer the clause to the Crown lawyers.

2466. Mr. *Liddell.*] Are you aware of an order that has been lately issued from the Colonial Land and Emigration Commissioners of the 17th of March: "Copy of circular. Sir,—I am directed by the Board to inform you, that Her Majesty's Government having had under consideration the reports made by Captain Beechey, R.N., on the loss of the 'Annie Jane, and by Captain Walker, on the loss of the 'Tayleur,' are of opinion that no ship should be permitted in future to clear out without having an azimuth compass on board, or with a less crew than four men to every 100 tons burthen, O.M. You will have the goodness, therefore, to make this rule as extensively known as possible in the port of Liverpool, and to act upon it for the future. I have, &c. *S. Walcott*, Secretary."?—Only from having seen it in the newspapers.

2467. What is your opinion of that order, particularly with regard to the men?—I think that it is very judicious.

2468. Do you think that such an order, in all cases, is necessary with regard to emigrant ships?—I should think it a very good order.

2469. You were understood to say, when you were questioned on the subject of the manning, that you thought in the winter season emigrant ships should not go to sea with less than four men to the 100 tons?—I am of that opinion.

2470. But passages may be, and have been in many hundreds and thousands of instances, safely made with a less complement?—Certainly.

2471. And therefore do you still think, in all cases, that it would be necessary to enforce that order?—As an enactment do you mean?

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2472. Yes.—I should think that in the winter time it would not be desirable to sail with a smaller number. In the summer time I would not insist upon that number.

2473. If that order be rigidly acted upon, what do you think would be likely to be the effect with regard to the passage trade?—I cannot see any harm that would arise.

2474. Would it not lead to the necessity of a larger number of seamen being employed?—Certainly.

2475. Is there not at present a great scarcity of seamen?—I do not think there is.

2476. Has not the scarcity been generally complained of?—I have heard that they do not enter quite so fast for Her Majesty's service as is necessary to complete the crews of the ships.

2477. Has there been an advance in the wages of seamen?—I believe there has.

2478. Are they not striking for wages in some ports at this moment, particularly the northern ports?—I would rather not pronounce an opinion upon the cause of those strikes in the North, but I do not think it is for wages alone. With reference to seamen in the North, there is a combination in the north-eastern ports at which the seamen agree to demand certain wages of the owners, and all who will not enter into the combination are scouted, and they endeavour to keep them away from the shipping offices. There are many who are willing to enter and man those ships if permitted, which shows that it is not the scarcity of men alone, but the combination, which prevents them from being manned.

2479. Is there not some danger of that combination spreading to other ports, particularly if there is a considerable demand, as is likely to be the case, for the employment of able seamen?—I think it may spread if the law does not check its course, and if there is a supineness to bring the agitators to punishment.

2480. Under all circumstances, is it not probable that there will be an increase in the rate of wages to able seamen?—I do not see why there should. Perhaps you mean during the pressure of fitting out our fleet?

2481. Yes.—It is probable that there may be; but I think it will cease with the occasion.

2482. The question referred to the order of the Emigration Commissioners. If, on the one hand, we may calculate upon an increase in the rate of wages to seamen, and, on the other, if those engaged in the passage trade are required to employ a greater number of men in the proportion of one man to each hundred tons, in excess of what has been hitherto required, will it be possible to carry on the passenger trade without a considerable increase in the passage rates?—I should consider first the safety of the ship and the lives of the passengers, without reference to wages or owners at all. If they cannot man their ships properly, and send them to sea without being lost, as we have seen unfortunately in the case of the "Tayleur," I think they had better not send them at all, and the Legislature had better pass a law which will ensure the lives of the passengers.

2483. Undoubtedly, if by any law the lives of passengers can be ensured, there ought to be such a law; but it is not certain that the lives of passengers have been sacrificed by the want of those regulations. Will you answer the question directly, whether it will be possible to carry on the passenger trade as it has now been carried on, under those altered circumstances, without a large increase in the passage rates?—There may be an increase, but I cannot speak as to whether it will be carried on or not.

2484. Will not the consequence of that be to check emigration, without saying whether those consequences are good or bad?—It might be so. You will observe that a great deal of the emigration from this country goes on in foreign vessels.

2485. But will not foreign vessels be subject to this order?—Certainly, they ought to be.

2486. They certainly will be, and, as we understand, it has been acted upon already. Now, although both English and foreign vessels may be compelled to take out their ships with this increased number of crew, they cannot be compelled to bring them back again?—No.

2487. What will become of the supernumerary hands, supposing them to be from this country?—I suppose they will find their way back as they do already from America and the colonies. If they go to Quebec, where there are 2,000 men

men required every year to bring home the new ships, it will be a very great advantage.

2488. But may they not find their way into foreign service?—That will depend on their wages; if they find that their wages are better in English than in foreign vessels they will not go there; and they would much rather not go there, because the treatment is not to their liking.

2489. If a regulation of that sort be rigidly acted upon, is it not likely to excite some dissatisfaction in the minds of foreign traders?—It may, certainly.

2490. Do you think there may be no risk of retaliatory measures being adopted in the American ports by the Government of the United States, if these regulations are too rigorously insisted upon?—By that do you mean, whether they would require ships to carry more men going to our country?

2491. No, I mean, before they will clear out our ships on their return passage home, that they may require them to take six men to the 100 tons, for instance?—I can conceive, with regard to the conveyance of passengers, that they may make what regulations they please; our ships going there must be bound by their conditions.

2492. But, in the meantime, would not any such retaliatory regulations by the Government of the United States lead to great practical inconvenience to the shipping trade?—I should think not, with respect to passengers.

2493. Mr. *Meagher*.] Is there any emigration from America to these countries?—I cannot answer that question; I should think very little.

2494. Captain *Scobell*.] Do not the Government vessels, or vessels hired by the Government, for convicts or troops, always have four men to the 100 tons?—Yes, I think that is their rule.

2495. You assume that as they require four men to 100 tons, that they have well weighed the subject, and consider that number necessary, or they would not require it?—I presume they have.

2496. And you draw this inference, that if it is necessary for Government passengers, it is necessary for the safety of other passengers; is that one of the grounds upon which you form your opinion?—Certainly, that is one of the grounds; and, as a seaman, I speak from what I conceive to be right.

2497. Is your opinion confirmed by that ground?—Yes; I think that three men to the 100 tons, which is the number that the ships recently lost have gone to sea with, have been wholly inadequate for the vessels at the season of the year at which they have left this country.

2498. The probable pressure from the want of seamen does not enter into your former answer; you are merely looking to the state of the vessel, and how many men are required to constitute an efficient crew?—Entirely without any reference to the seamen, who may be plentiful at one time and very scarce at another.

2499. If there is a pressure for seamen, does it not induce more boys and apprentices to enter, or induce owners of vessels to train up boys to keep up the number?—It will certainly have that effect.

2500. To that extent it would have a beneficial effect?—Certainly.

2501. Have you read the report on the loss of the "Tayleur"?—Yes.

2502. Do you remember that the report states that that vessel had never been at sea, or had never set a single sail until she went forth with her passengers?—Yes, I believe that was so.

2503. According to the report she turned out to be an unmanageable vessel, and was lost; do you think, looking at that ship as an instance, that it would be desirable to have a regulation from some proper authority that no vessel should hereafter sail with a cargo of emigrants which has never been tried any way at sea?—A sailing vessel or a steamer?

2504. Confine your answer to sailing vessels?—I should not like to make a law upon that subject.

2505. Would you think it desirable if the Emigration Commissioners should make that arrangement?—I think it is not absolutely necessary.

2506. You remember that that vessel did turn out to be very unmanageable, and, as stated by Captain Noble, she took four or five miles to wear, and would not steer well; had she been tried, and all that proved before, might it not have been the means of making some alteration before she sailed with the emigrants?—It might be desirable, as in the case of any unusually long ship, to make an experiment, and ascertain the result of that experiment before that particular

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ticular ship went to sea; but I should not recommend that all sailing vessels should, previously to going to sea, run out of Liverpool to be tried and come back again.

2507. Sir *T. Herbert.*] You consider that in ordinary built ships that would not be necessary?—Not at all.

2508. Captain *Scobell.*] She need not run out of Liverpool at a loss of time, but might make a voyage and go where they pleased. Inasmuch as the officer who makes the examination as to whether she is seaworthy has no means of ascertaining whether she is seaworthy in bad weather, would it not be advisable that such a precaution should be taken before a number of human lives was embarked in her?—I should not think it would be necessary to that extent.

2509. Would you think it necessary, where a vessel was unusual in her build and form, such as the "Tayleur" was?—If there was anything out of the ordinary way, from which unmanageableness might be anticipated, I should recommend that she should be tried.

2510. *Chairman.*] In the case of the "Annie Jane," did the surgeon of the ship make any communication to you?—Not any.

2511. In your report you speak very strongly of the ill-fitting of the waterclosets; were they on deck?—Yes.

2512. And the unfortunate women passengers were put to very great hardship?—Yes.

2513. Would you recommend that they should be between decks, as they are on board the Australian ships?—I think it very desirable that waterclosets for the women should not be exposed on deck, and I would observe here, that the fittings in general should be more substantial.

2514. Is it not the case that, as at present fitted, the waterclosets are not only likely to be knocked away by the sea, but even the men, in order to have a clear deck to work the ship, are sometimes known to knock them away themselves?—That has not come to my knowledge.

2515. But you would recommend that there should be closets for the women between decks?—Decidedly.

2516. You do not consider that there is any very great difficulty in the way of fitting them between decks that should prevent so desirable an object, where women especially are concerned?—I think not in the class that is takenup for passenger ships; it might occur that in small vessels that it would not be convenient.

2517. The Emigration Board seldom allows a vessel below the red diphthong to be taken up, unless that vessel has been recently rebuilt, and found to be equal in condition to a vessel under the red diphthong?—I am not aware of their conditions exactly.

2518. You stated in a former answer that you would be particular in insisting upon a certain class of ships being taken up?—Yes, class means size; it is not with reference to their rating at Lloyd's.

2519. North American built ships are said, after 10 or 12 years, not to be very seaworthy; would you recommend that they should not be taken up for passengers?—I think we must altogether leave that to the surveyor's report, as to whether the ship is fit for the occasion and whether she has been a long time in use, or otherwise; some ships are very good after having been a long time in use, and others not at all so.

2520. Captain *Scobell.*] What tonnage should you recommend as most desirable for emigration sailing vessels, and should there be one deck or two?—I should think they ought to have at least two decks; the passenger deck, as it is called, and the upper deck.

2521. Do you prefer large or small vessels?—The size varies much, and depends on the number of passengers you put on board.

2522. Did you not say, in one of your former answers, that you did not like small vessels?—I spoke with reference to the waterclosets being below in small vessels; that it might not be convenient for many reasons, and also that they would be disagreeable or unwholesome.

2523. Do you find emigration very large now?—There is a great deal going on.

2524. There is no necessity for doing anything to stimulate it?—Not at all.

2525. Therefore we need not be afraid that by making any difficulties we shall injure ourselves by checking it?—I should think not.

2526. *Chairman.*]

2526. *Chairman.*] Does there not at present occur, from the absence of water-closets between decks, a great deal of dirt and filth which may engender serious illness on board?—The "Annie Jane" was said to be in a filthy, unwholesome state below, in consequence of having no waterclosets upon deck; they were knocked away.

2527. And there were none between decks?—None between decks.

2528. Captain *Scobell.*] They had them on deck, but they were washed away?—They were knocked away by the sea.

2529. Sir *T. Herbert.*] Do you know whether they have chronometers in all these vessels?—I cannot speak generally; I cannot speak at all to foreign ships.

2530. Can you speak as to our own?—Nor do I know what regulations the emigration officers make with regard to chronometers; the "Annie Jane" had three.

2531. Are you aware whether they take a barometer, which is of great use in indicating weather, particularly in high latitudes?—I am not aware of the extent to which they take instruments.

2532. Captain *Scobell.*] With regard to compasses, would you recommend that they should have an azimuth compass, and prove the compasses before they sail?—I have already said, with regard to the order issued by the Emigration Commissioners, that I think it is very desirable they should have an azimuth compass on board, more especially in the ships which are built of iron or take iron. Those which are built of iron ought, unquestionably, to have their compasses carefully examined, and the local deviations correctly determined, before they sail, and after the cargo is put on board, provided that cargo be iron.

2533. *Chairman.*] In page 5 of your report you speak strongly about the want of due caution in the stowage of iron?—Yes.

2534. Does not the emigration officer at Liverpool bear a very high character as an officer?—Yes.

2535. In that case is it not probable that he would have allowed that ship to go to sea in that state, particularly after she had been put back, if he had not been doubtful of the power that he had in his hands to alter beneficially the stowage of the iron?—Some little alteration was made in the stowage.

2536. Still your report condemning the stowage occurred afterwards?—Yes.

2537. Sir *T. Herbert.*] Must not the stowage depend a good deal upon the build of the ship, and her ballast being winged up?—Yes; a practical man, accustomed to stow heavy cargoes in ships, would arrange his cargo accordingly.

2538. And distribute it, or wing it up, according to the capacity on board?—Yes.

2539. Mr. *Meagher.*] In your answer with respect to the decks, did you mean one passenger deck, or two passenger decks?—Below the upper deck.

2540. One passenger deck or two?—One passenger deck; between the lower and upper deck; it must depend upon the size of the ship.

2541. In a general way do you prefer one passenger deck or two, having regard to proper ventilation?—That must depend entirely upon the size of the ship. Your height between decks must be sufficient for passengers; and if it were a very small ship there would not be sufficient height if there were two passenger decks.

2542. Whatever size the vessel may be, if these passenger decks are filled with emigrants must not the air be very much affected by such a crowd of people?—Yes, if you do not ventilate it.

2543. With regard to the efficiency of the crew, or an increase in the number of the crew in the winter season, do you consider that the danger, especially where it is imminent, is greatly increased where there is a large number of emigrants on board, by the alarm which is always felt by a crowd of persons unaccustomed to such danger?—That renders it the more necessary that the crew should be efficient.

2544. Mr. *Liddell.*] Assuming that this order which has been issued by the Emigration Commissioners is acted upon, will not a large additional number of seamen be required to carry on the passenger trade?—A larger number than at present, certainly.

2545. Will not the inevitable tendency of that be to drain this country of seamen to a certain extent?—I should think not ultimately; they will come back again.

2546. How can you answer for their coming back again?—I imagine the demand, when it occurs, will bring them.

2547. Supposing an American trader to New Orleans taking out a cargo of

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emigrants to land them at Quebec, and go on to New Orleans, he will be compelled to take out an increased complement of crew, but he will discharge them the moment he gets back to his own country, would he not?—I should think they would not allow him.

2548. Who would not allow him?—The American authorities.

2549. How could they help it?—They would not allow British seamen to become distressed as paupers in their country.

2550. There can be no security that he will bring them back again?—I think we must leave them to manage their own affairs in that matter, while we provide for the safety of the ship, and the lives of the passengers.

2551. He considers that it is not necessary for the safety of his ship to adopt this regulation; he only does so because it is the rule?—If that rule is considered necessary in the country he goes to embark his passengers from, he must abide by it, although his own opinion may differ from it.

2552. But it will not be considered necessary in the United States?—Then they cannot take passengers from this country.

2553. The American shipper may take passengers from this country, provided he will comply with those regulations?—Then he must take four men to the hundred tons, if that be the rule in this country.

2554. When he gets back to his own country he will discharge his supernumeraries?—That is according to the agreement he makes with his seamen; if the seamen agree to be brought back from the United States they must be brought back.

2555. But is it certain that he will be compelled to bring them back by those agreements?—He will be compelled to find them a passage back.

2556. And you think that no seaman will leave this country in an American ship without such an agreement to be brought back?—I do not say that; I should not say that will be the case.

2557. If that operation went on extensively, is there not reason to apprehend that the British ports might be drained of a considerable number of seamen in the course of a short period?—I apprehend that it would find its level in that respect. If the demand in this country for seamen is great, and the wages high, seamen would not remain in any foreign country.

2558. In short, you see no reason for the alarm which has been expressed?—If I did, I should not allow it to have any effect. I should consider what was necessary for the safety of the ship and the lives of the passengers, and throw everything else overboard.

2559. Sir *T. Herbert.*] Have you visited Mr. Green's ships?—Some of them, but not lately.

2560. Are you aware that the emigration agent in London insists upon having four men to the 100 tons?—I have only heard so.

2561. Captain *Scobell.*] From your general observation of American and British mercantile ships, are you of opinion that the American ships are as efficiently manned and well found as the English ships in general?—I believe they are not so well manned.

2562. Do you mean in numbers or quality?—In numbers.

2563. How are they manned as to the quality of the seamen?—The seamen are pretty good.

2564. Not superior to ours?—I should not like to speak generally.

2565. Do you find those who get into the emigration trade generally continue in that trade?—That I cannot answer; the emigration officer would answer all those questions far better.

2566. There has been some evidence given as to the bad quality of the water at certain periods of the voyage, particularly to Australia; do you think it would be desirable that there should be a regulation through the Emigration Commissioners that vessels should have at least a certain portion of their water in iron tanks?—Certainly; I consider it very necessary.

2567. What proportion should you recommend would be a good arrangement?—That would depend upon the length of the voyage.

2568. Say to Australia?—A large proportion; three-fourths.

2569. You mean three-fourths in iron, and one-fourth in wood?—I have not considered the question sufficiently, but I should consider about three-fourths; when water is taken on board in wooden casks it soon gets bad, and there should be only such a quantity of water in wooden casks as would last good for that period; when the water is likely to get bad you should adopt iron tanks.

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2570. Vessels going to North America are sometimes six or seven weeks on their voyage; should you recommend any portion of their water to be carried in tanks?—Yes, I think it is a very good regulation that at least half should be carried in iron tanks.

2571. *Chairman.*] Have you seen any of the new iron casks which have been invented?—No, I have not.

2572. We have had evidence that there is such an invention?—I have heard of it; it is immaterial whether it is in iron casks or tanks.

*Chairman.*] The advantage is, that the iron casks take to pieces, to make room for cargo on return voyage.

2573. You have been asked whether requiring four men to 100 tons would not give great facility to seamen to remain in America; is there anything at present to prevent such seamen as may be tempted by wages from getting employment in other vessels, if they do not go by passenger ships?—Nothing whatever.

2574. They can go to America all the same?—Yes.

2575. Had you any difficulty in getting witnesses before you, with regard to your inquiry into the loss of the "Annie Jane"?—No difficulty beyond having to wait a long time for the master, who was attending to the interests of the owner at the site of the wreck, otherwise I found everybody willing to come forward and give evidence.

2576. Had there been a coroner's inquest?—It was in Scotland; there had been a precognition.

2577. Is that an inquiry in the nature of a coroner's inquest?—I believe so.

2578. There was an inquiry according to the law of Scotland?—Yes.

2579. Are you aware whether any of the members of that court of inquiry, and in what proportion, were nautical men, competent to judge of accidents which might happen to ship?—To the best of my recollection there was no naval man; it was an inquiry before the sheriff.

2580. Do you not think it would be advisable, and tend to facilitate any subsequent inquiry, if there was some legal provision applicable not only to England, but also to Scotland and Ireland, ensuring that a portion of the coroner's jury, in cases of shipwreck, should be nautical men?—I think it very desirable, I will even say necessary, that a selection should be made, and that a portion at least of those juries should be constituted of naval men.

2581. Mr. *Meagher.*] Did you investigate any other case besides that of the "Annie Jane" in the last year?—Not lately.

2582. Has your attention been called, in any way, so as to form an opinion as to the desirability of vessels being provided with pilots, going out of Liverpool, to a greater distance than they carry them at present?—I have read the report of the evidence on the "Olinda," in which the pilot was taken beyond his limits.

2583. The question referred to emigrant ships in general, especially in bad weather, whether it would be desirable to have any regulation by which the pilots might go to a greater distance than they usually do with those ships?—No, I think the limits quite sufficient; I think that the officers in command should take all those precautions which are necessary, such as men-of-war's officers consider essential and necessary to the safety of their ships, such as sounding very frequently, &c.

2584. Would you recommend any regulation with regard to the frequency of soundings, in cases where there were no pilots, or where pilots had left?—I think that every officer who is fit to be appointed to the command of such a ship would know when his lead was required; and if he failed to use his lead, I should deem him exceedingly culpable.

2585. Are you of opinion that they do use the lead on every occasion when it is necessary?—I am afraid that too many ships are lost entirely from the want of the use of the lead.

2586. *Chairman.*] Is it the custom on board men-of-war in the channels, to have a pilot, in addition to the ordinary officers of the ship?—No; it depends on where they are, or what sea they are in.

2587. We will take, for instance, the Irish Sea; St. George's Channel; is it the custom for men-of-war to have a pilot on board?—Not necessarily; that captain may take one on board if he pleases; if a vessel was cruising in that sea,

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she would have a pilot on board, as she might want to put into places where she could not readily get a pilot.

2588. Mr. *Meagher.*] You do not consider that ships of war require a pilot so much as ordinary ships, because of the care they take in sounding?—They are better taken care of, in consequence of their precautions.

2589. Captain *Scobell.*] You mention in your report that one class of emigration officers are not sufficient for the duty; you say, "I am aware that the vessels which embark passengers at Liverpool are so numerous that it is impossible for the present staff of emigration officers to exercise a satisfactory supervision in that particular." You are speaking of the stowage of the cargo of the "Annie Jane"; do you think that the staff of officers, generally speaking, is sufficient for the great number of emigrant vessels that sail from Liverpool?—With the exception of the stowage, I have not heard of any complaint.

2590. Their number is very great?—Yes, very great.

2591. Is it too great for one port; would it be better if it was more subdivided. There has been an application from Bristol to make it an emigration port; would there be any advantage in having another port between Liverpool and Plymouth?—I see no objection to the present practice, provided there are sufficient officers. I think the Emigration Board must provide for the occasion. If there are more ships they must have more officers.

2592. Mr. *Liddell.*] From there being a larger number, does it not cause over-exertion and over-work on the part of the officers, whatever arrangements you may make?—It certainly would be more convenient to divide the work; but there might be an inconvenience to the emigrants from Ireland in having to go up to Bristol. It is a long passage.

2593. Mr. *Peel.*] If there is sufficient emigration from the port of Bristol, an emigration agent would be appointed there?—Yes.

2594. There not being sufficient emigration to justify the appointment of an agent, there is no agent appointed?—The Emigration Commissioners can appoint agents wherever they think necessary.

2595. Captain *Scobell.*] They have nothing to do with the Emigration Commissioners; they are appointed to specific ports?—All passenger vessels are under the Emigration Board.

2596. Bristol has its ordinary emigration, like any other port?—Yes; but if they have passenger vessels they must be under the emigration regulations.

2597. Any class of passenger vessels?—Yes, any class of passenger vessels going within certain limits must come under that Act. They may go short limits, such as to the Mediterranean or within the home trade limit, without.

2598. Mr. *Peel.*] A passenger vessel may sail from any port?—Yes, from any port in the United Kingdom.

2599. Captain *Scobell.*] Not being one of the Emigration Commissioners' vessels?—Yes, you might have seen the case of the "California," which sailed from Sligo lately.

2600. Mr. *Meagher.*] The Custom-house officers supply the place of the emigration officers?—Yes, when absent.

2601. Captain *Scobell.*] Is there any recommendation that you have to make to the Committee, which it is advisable to consider with regard to the safety or convenience of carrying on emigration?—There are many things desirable which may not be practicable. The surgeons of those ships, I think, might be more experienced; it might also be desirable that the surgeon should attend to the comfort and cleanliness of the passengers at sea as well as to their health; but then you cannot carry that into effect. You have no legislation in this country which could have any effect beyond a certain limit in foreign vessels; a great deal of the emigration from this country goes on in American vessels, and then they come under the American law directly they get beyond certain limits, so that nothing that could be enacted in that respect would be binding. Although it might be desirable to put the power in the hands of the surgeons, of looking after the comfort and health of the passengers, yet you could have no penalty if they did not do it, or you could not enforce any, and you take the responsibility out of the master's hands, which, without the other arrangement, would not be desirable.

2602. Mr. *Peel*] There is no means of enforcing the Passengers Act in the case of foreign vessels after they leave this country?—It can only be done by the bond or the contract ticket given by the master of the vessel.

2603. Before

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2603. Before you can recover on the bond, the master must return to this country?—I think not; I am not perhaps competent to answer that question.

2604. *Chairman.*] Would it be desirable that there should be a negociation with the American Government to obtain a concert as to arrangements and regulations?—It would be very desirable; for although the masters give a contract ticket, and stipulate to do certain things, yet when the passengers get to America they are so anxious to get to their destination, and have so little money to prosecute a case of that kind, that they leave it entirely untouched, and the master escapes.

2605. Mr. *Meagher.*] Did the case of a ship going from Liverpool, engaging to take passengers to New York, and landing them in Philadelphia, come to your knowledge last autumn?—I am aware that it was done by an American ship from Glasgow and Cork. I am aware also that the master of the ship was mulcted of his passage-money in America.

2606. He was prosecuted in Philadelphia?—Yes that law is still in existence, and any parties can avail themselves of it, who are aware of it.

Captain *W. H. Walker*, called in; and Examined.

Captain *W. H. Walker.*

2607. *Chairman.*] YOUR duties are similar to those of Captain Beechey?—Yes; I do not belong to the Royal Navy, and Captain Beechey does.

2608. You investigated this case of the "Tayleur"?—Yes.

2609. Before we go further into the case, direct your attention to the point of the coroner's jury; would it not be very desirable, and greatly facilitate subsequent inquiries, if the coroners' juries were partly composed of nautical men?—I think so, decidedly. We should then have a better opportunity of forming a judgment. They were frequently at fault from not understanding the nautical phrases used by the witnesses.

2610. But for your presence at that inquiry, the fact of the master's not having taken soundings would not have come out?—I considered from my position, as an inquiry was afterwards to take place before me, that I was not justified in advising the members of the jury; but I recommended that a captain in the navy, an emigration officer, who was present, should be called to give evidence.

2611. Mr. *Liddell.*] Was that Captain Schomberg?—No, Captain Kerr. Captain Schomberg is emigration officer at Liverpool.

2612. *Chairman.*] You are aware of the wreck of the "Queen Victoria?"—Yes.

2613. Wrecked on Howth about the year before last?—Yes, in February 1853.

2614. Did it not appear to you that, in the case of the coroner's inquest, there was a great deficiency from the absence of nautical men on the jury?—Very great indeed.

2615. Mr. *Liddell.*] Are you in the mercantile navy?—I was in the East India Company's service until the expiration of the charter; afterwards I commanded Indiamen out of the port of London.

2616. *Chairman.*] Do you strongly recommend four men to the 100 tons?—Yes, I do, as far as regards vessels going to Australia; but I do not think that that rule should be general.

2617. Even in winter time?—Even in winter time. It should be left a great deal to the emigration officer, because vessels are so differently constructed that four men might be sufficient for one ship, when they might be unnecessary for another.

2618. Mr. *Peel.*] In your report, you suggest that the rule of four men to the 100 tons should be applied to all emigrant ships; you meant by all "emigrant ships," emigrant ships proceeding to Australia?—I meant where the Emigration Commissioners consider it necessary to have four men to the 100 tons, that the same rule should apply to other vessels. I believe very few vessels, other than those going to Australia, are taken up by the Emigration Commissioners.

2619. You did not contemplate emigrant ships going to America?—No.

2620. Not even in winter time?—I think that you could not legislate for the season of the year. You can scarcely find two ships that are rigged in the same way, or that have the same masts and yards. Some ships are rigged as barques, and then they do not require so many men as a ship-rigged vessel.

2621. You would leave this subject on the footing it now stands; the emigra-

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tion officer having power to give any directions he pleases, with a view to satisfying himself as to the efficiency of the crew of the vessel?—Most decidedly, as regards vessels to British America or the United States; not as regards vessels that pass through the tropics.

2622. Mr. *Liddell.*] Then you do not approve of the order lately issued by the Emigration Commissioners to the ports?—Not to apply to all vessels; I do not disapprove of the order given, but I would leave a discretionary power in the hands of the emigration officer.

2623. *Chairman.*] Is not that putting him in a very difficult position, exposing him to remonstrances from the merchants, and accusations of unfairness, and possibly to actions; would it not be better to strengthen his hands a little more?—I should not imagine that it would leave him liable to an action, if he considers it necessary that a ship should be efficiently manned, and she is not efficiently manned; but it would be very difficult where the masts and yards of one ship are heavier than in another, that you should oblige a vessel that is lighter rigged to have the same number of men as the other.

2624. Sir *T. Herbert.*] When you mentioned three or four men to the 100 tons, did you mean exclusive of stewards and boys?—When I say four men, I include the usual staff of the ship, not the commander or surgeon, but the mates, boatswain, carpenter, and petty officers, men and boys.

2625. Do you include the same going to America?—No, I would leave it to the discretion of the emigration officers; they are all officers of experience in the Navy. I would leave it to them.

2626. What proportion of able seamen would you have in those numbers out of the four?—I should say three-fourths should be able and ordinary seamen.

2627. That is in each case?—Yes, whatever the number may be, I would say three-fourths ought to be able and ordinary seamen.

2628. In the American packet vessels, which take passengers out, do you recollect the number they have of able seamen?—They have a small crew; but composed, I believe, principally of able seamen.

2629. Are they almost all able seamen?—I believe so.

2630. Mr. *Peel.*] Would you allow the stewards to be included in the remaining quarter?—Not the passenger stewards. In the "Tayleur" there were 14 stewards down as passengers. I would not allow men to be included in the crew where they were put down at 1*s.* a month, and were going merely to work their passage, and do as little work as possible. In the case of the "Tayleur," there were a great many men who went out at 1*s.* a month.

2631. Sir *T. Herbert.*] By looking at the articles of a ship, the emigration officer would see of what character the men were?—I do not think that would be a correct criterion.

2632. Suppose he were to say, "Show me the articles" in which his wages are entered, by which means he would see what his ability was?—I believe that is the usual practice, but at the same time you have a better opportunity now. When a vessel is discharged, the master of the ship is obliged to give each man a certificate of discharge, and, generally speaking a certificate of character; he is obliged to give him a certificate of discharge, and that certificate represents the length of time the man has been on board the vessel, and whether he has been an able or an ordinary seaman.

2633. You cannot say whether the emigration officer asks for those certificates?—He ought to do so, because every good seaman would not only possess a certificate of discharge, but a certificate of character. These are documents prepared by the department of the Board of Trade to which I belong, and bear its stamp. It is optional with the master of the ship whether he gives the certificate of character, but he must give the discharge. When you engage a crew, if there is a number of men before you, you ask, "Where is your certificate of discharge?" If it is not produced, he must either have lost it, or does not wish to show it.

2634. Mr. *Liddell.*] Are you aware of this order which has been referred to?—I am; I have seen it in the papers; I am not in any other way.

2635. Are you aware that this order admits of no discretion; it is positive?—I believe so.

2636. In your opinion, a discretion ought to be left to the emigration officer in clearing ships, with regard to the efficiency and number of the crew?—Decidedly; I consider that those emigration officers are men of experience.

2637. Then

2637. Then you think that this order ought to be modified?—I would leave it to the Emigration Commissioners to do so. I do not consider it necessary for vessels going to America.

2638-9. Mr. *Peel.*] Is it not competent for Emigration Commissioners to suspend or modify that order, if they please, under the existing Act?—Certainly.

2640. You would leave the emigration officers the discretionary power which they now enjoy?—Yes.

2641. Mr. *Liddell.*] This order states, "I am directed by the Board to inform you that Her Majesty's Government, having had under consideration the reports made by Captain Beechey, R. N., on the loss of the "Annie Jane," and by Captain Walker on the loss of the "Tayleur," are of opinion that no ship should be permitted in future to clear without having an azimuth compass on board, or with a less crew than four men to every hundred tons burthen, O. M. You will have the goodness, therefore, to make this rule as extensively known as possible in the port of Liverpool, and to act upon it for the future." Does not that order seem to override all previous regulations?—Of course that order is to be acted on; it applies to all passengers by emigration vessels.

2642. In your opinion that order ought to be modified?—I consider it is not necessary, which is the same thing, for vessels going to America, to have on all occasions four men to the hundred tons; it must be left to the discretion of the emigration officer. I should also state, which I added in my report, that the number is estimated frequently upon the old tonnage of the vessels. Now as regards the "Tayleur," the old tonnage was 1,600 tons; the tonnage by the existing law was 1,900 tons, but at the same time the vessel was of a burthen of nearly 3,000 tons.

2643. This order refers to the old measurement?—I think myself that the rule should apply to the existing law. The old law is almost defunct; the other has been the law of the country for the last 18 years.

2644. Mr. *Peel.*] You mean the rule as to the proportion of men to the tonnage?—Yes.

2645. Sir *T. Herbert.*] It should be applied to the new tonnage?—Yes, if they went by the existing law of tonnage, not by the old law; because the old law is no indication whatever of the capacity of the ship.

2646. Mr. *Liddell.*] Nevertheless, this order refers to the old measurement, simply, because there are the letters O. M. put into the order?—I should say that the rule should apply to the registered tonnage of the ship, and as the tonnage appears on her certificate of registry.

2647. The proportion would then be greater under the existing law, than under the old law?—In most cases it would.

2648. Captain *Scobell.*] In the "Tayleur," according to your report, there were 21 stewards and cooks?—I think so.

2649. You say, in your report: "By the articles it appears there were three mates, one surgeon, two carpenters, one boatswain, and one sailmaker, besides 21 stewards and cooks; but of the crew to work the ship, only 22 able seamen, 13 ordinary seamen, and six boys, making 41 in number." That was 41, including six boys, for a vessel nearly 2,000 tons?—Yes.

2650. You report that that crew was very inefficient?—I consider it so.

2651. Do you mean in numbers?—Yes, I mean in numbers, and probably in ability as well.

2652. In both?—Yes.

2653. You are aware that it came out in evidence in that case, that the stewards were mere nominal persons at 1*s.* a month, merely to get a passage to Australia?—Yes.

2654. You state that you would not have more than three men to the 100 tons to go to America?—I did not say that; I said I would leave it to the discretion of the emigration officer.

2655. Would not your own opinion be in favour of three men to 100 tons, if you were an emigration officer?—No; it would depend upon the build of the ships, and the masts and yards. There ought not to be less than four men to the 100 tons for a voyage to Australia, or a southern voyage. I would leave it to the discretion of the emigration officer, with regard to ships only going short voyages.

2656. Do you think it desirable that a ship sailing from Plymouth, to the same

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port as a vessel sailing from Liverpool, should have the same number of men, and that there should be an uniformity established at the different emigration ports as to the number of men?—A vessel sailing from Plymouth would get out of the Channel much sooner than she would from the Mersey.

2657. Suppose vessels sailing from London and Liverpool?—In that case, I would make no distinction.

2658. If you make no distinction, do you not think that, by leaving it entirely to the judgment of the emigration officer, one officer may have one opinion and another officer a different opinion?—When you appoint men of certain experience, I think you must leave a little discretionary power in their hands. The emigration officers are men who have a certain amount of experience.

2659. You are aware that Captain Beechey is a man of experience?—Certainly.

2660. And you are a man of experience?—Yes.

2661. You differ materially in opinion as to the number of men; so that if Captain Beechey were an emigration officer at one port, and you were an emigration officer at another port, ships would be sailing under different regulations as to the number of men?—Captain Beechey considers that four men to the 100 tons are necessary for all voyages. I have no doubt that any person of experience would not give the same number of men to a vessel which had got small masts and yards as he would to a heavily rigged vessel.

2662. But a heavily rigged vessel is generally a vessel of larger tonnage than one with small masts and yards?—Not altogether; you frequently find ships of the same burden rigged very differently, and you also find, that the masts and yards are generally calculated from the beam of a vessel.

2663. Sir *T. Herbert.*] Are not the American vessels generally lighter rigged than ours?—I should say they are.

2664. The blocks are lighter?—They have mechanical contrivances, which the emigration officer can judge of.

2665. Such as large blocks and small ropes?—Yes, and patent windlasses, and winches, and mechanical contrivances on board, which enable them to work the ship easily.

2666. The gear works easier, and requires fewer men to work it?—Yes. You will find among the different owners in London that one man will build a ship exactly of the same dimensions as another, but her masts and yards are different. Vessels are constructed so differently now, that some do not require such large masts and yards as others, though the tonnage may be the same.

2667. Do you consider that the American vessels require more men to work them than other vessels, from the manner in which they are rigged, and their ropes, blocks, and spars being lighter?—I believe the patent purchases and appliances are more general in the American ships than in our ships; if they were similarly rigged they would require the same number of men.

2668. Are you speaking from your experience as to what you have seen at present?—I am giving an opinion from observation.

2669. Captain *Scobell.*] Do you not think that the American merchantmen are generally squarer rigged than the British merchantmen?—No, I do not think they are.

2670. More lofty sails?—They have more flying kites, but are not so heavily rigged.

2671. Then you would adopt the proportion of three men to a hundred tons on a voyage to America?—No; I would leave it, as I before said, to the discretion of the emigration officer.

2672. Whether it is four men to the hundred tons or three, or any other number, who would you advise to exclude from being counted; would you exclude the stewards?—I should include every one in the ship except the master and surgeon, supposing they had the usual staff of one steward and one cook; but when there were extra servants, I should exclude them.

2673. You would only include one steward?—Only one cook and steward.

2674. The "Tayleur" having 21 cooks and stewards, you would only include one steward and one cook?—I think the "Tayleur" had about 51 in the crew, exclusive of the stewards.

2675. Was not the number of the crew 41?—Those are the sailors; the men who kept watch.

2676. *Chairman.*]

2676. *Chairman.*] Above 400 passengers; does not the number of cooks increase?—One or two, but there are never more than three or four stewards; in this case there were 14 or 15 men who were rated on board as stewards, who were evidently working their passages out.

2677. Captain *Scobell.*] There were 26 who did work the ship, including the captain, mates, stewards, and cooks, and there were 41 in the crew, including six boys; who would you include in the crew, and who would you exclude; would you include the captain in the crew?—No, neither the captain nor surgeon.

2678. The "Tayleur" had three mates; how many would you include in the crew?—Three, because the more mates she has the better.

2679. Would you include the surgeon in the crew?—No.

2680. How many stewards would you include in the crew?—Only one.

2681. How many cooks?—One cook.

2682. The number of seamen, you think, very much depends upon their qualifications; you think it would be better to go with 30 good seamen than 40 indifferent ones?—I do not think it would be better to go with 30 good seamen than 40 indifferent ones, but I would rather have 25 good seamen, and the rest ordinary seamen, so as to have more strength as well as ability; I would have two able seamen to the 100 tons, and make the rest up of ordinary seamen. In speaking of an ordinary seaman, I mean a man who has been four or five years at sea, and can hand and reef.

2683. You reported that the "Tayleur" was not sufficiently manned?—I did.

2684. You are aware that the officer at Liverpool, whose duty it was to examine her, must have considered her sufficiently manned befor he permitted her to sail?—Yes.

2685. It is to be inferred from that, that, either according to custom or want of time, he did not take sufficient means to ascertain the qualifications of the crew; do you think it would be a desirable arrangement that there should be some better test than merely mustering them and asking them questions?—I stated just now, that if the certificate of discharge was produced to the emigration officer, that would be a voucher to him that the man was a seaman. As I mentioned before, the men are now discharged at the shipping offices, and the master is obliged to give the certificate.

2686. Do not the seamen often lose their certificates?—Of course they will occasionally, but a good man generally takes care of his discharge.

2687. How would you act with a bad man?—Then I suppose you could only question him as to his talents.

2688. Do you think they never forge their certificates?—Occasionally they have done it, for which some have been severely punished.

2689. Under these circumstances, as the officer who examines the crew is liable to be imposed upon in these ways, would it not be better that he should take five minutes to make them run aloft, and furl the sails, and unfurl them, so as to see their gait, and ascertain whether they have got their sea legs or not?—I do not see that there would be any objection to that at all; it would be a very efficient way of doing it.

2690. And not very troublesome?—When men come first on board they are frequently a little groggy; and they might not be so efficient as they would be after being a few hours at sea.

2691. Does not that show the greater necessity for their being exercised; for if they are groggy, how is the gentleman who examines them to know much about them?—A person accustomed to sailors can tell a great deal by their appearance, and talking to a man; still I see no objection to the plan you suggest, and I dare say it would be a very good one.

2692. Have you any other test you would suggest?—None whatever.

2693. The "Tayleur" had never been at sea before?—No.

2694. As she turned out unmanageable, taking such an extraordinary distance to wear, and would not steer well, and there were other startling things to a sailor, would it not have probably led to the safety of the passengers and the riddance of those imperfections in the ship if she had had first some kind of trial, either on a short voyage, or running out a little distance to sea, in order to prove what sort of a vessel she was to handle?—A ship which has been a voyage

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is much more desirable to take a passage in than a new ship; but as regards the evidence of the captain of the "Tayleur," I differ from him. Several of the people said she steered remarkably well. It would never take a vessel that was fit to go anywhere four or five miles to turn round. I should also mention that her boats were stowed upon skids just before the mizen mast, and all that might have prevented her from paying off.

2695. Notwithstanding about four hundred lives were lost in that vessel, and she had never been to sea before, you do not think it desirable to try a vessel before she embarks hundreds of passengers?—I think myself, as regards a steam vessel, it is necessary that she should.

2696. Confine your answer entirely to sailing vessels?—It never has been the practice; and, generally speaking, if vessels are constructed from a particular model, you have no reason to suppose they will not be as good sea boats as those which have gone before. It is not usual in the Navy to try vessels before they are sent to sea.

2697. That has never been the practice; but if from circumstances that practice would be desirable, that need not prevent its being a new practice?—I commanded three Indiamen myself, which were new ships of the largest class, and I never felt any hesitation in going to sea in them without a trial.

2698. Sir *T. Herbert.*] In ordinary built ships there would be no occasion whatever, but in extraordinary built ships it might be just as well that she should be experimentalised with?—Decidedly, if she is of some new class of vessel; the emigration vessels are surveyed by shipwright surveyors. I made inquiries as to whether the rudder of the "Tayleur" was in proportion to the vessel, and found her lines very good. The masts were in proportion; the foremast was not placed very far aft to prevent her wearing, and I could not understand or reconcile the evidence I heard.

2699. Captain *Scobell.*] But still the lives were lost?—I think that that was entirely owing to the master mistaking his position.

2700. Sir *T. Herbert.*] How did she stay?—They never attempted to stay her.

2701. Captain *Scobell.*] You have spoken of men-of-war not being tried; have you never read of men-of-war going to sea, and having some imperfections discovered, such as the rudder not answering, and being brought back again and remedied?—With steam vessels that is a very common occurrence.

2702. Is it so with sailing vessels?—I do not think you would consider it necessary.

2703. Mr. *Liddell.*] Would not these experimental trips be very costly to the owners?—I should say they would; it is not like steam vessels, they can go in and out without any difficulty; but with sailing vessels, if you left port with a fair wind, you might have great difficulty in getting back if the wind was contrary.

2704. *Chairman.*] Did not the master of the "Tayleur," Captain Noble, give evidence before you, that she would not stay?—No; he said he never had an opportunity of trying her.

2705. Did he not say that, in the last emergency, when he found he was close to the land, and had to haul up again, that he was afraid to attempt to stay her?—He said she would not come to the wind. I think myself that the vessel must have been very much nearer the land than he represented her to have been, because Lambay is a small island, and he was embayed when he first saw it.

2706. Are you aware of the situation of Lambay; have you been there?—Yes, I know the position.

2707. He, however, declared that the vessel took four or five miles to come round in wearing, and nearly an hour in time?—He stated so before the coroner's jury; but I think, as a sailor, it is a very improbable thing.

2708. Was it not corroborated by other evidence?—There were two or three men who said it took a long time; but there is the evidence of the first man, a native of Plymouth, an old seaman, who was a passenger on board, and he said she steered like a duck. Two or three spokes of the wheel made her move her head one way or other. I think it was a mistake of the captain.

2709. She wore two or three times?—Yes, she wore several times.

2710. And

2710. And was slack in wearing each time?—Yes, she was a very long ship, and would make a larger angle in going round.

2711. It is clear that to get a vessel to sea out of the Mersey, for the purpose of trial, if it were only for the reasons which you have just now given, besides others, it would be a very inconvenient, dilatory, and expensive experiment?—Very, I should say.

2712. Would the same objects be gained in any way by having some kind of bond, to bind the master, that if he found his vessel not handy, and that she took a long time in wearing, or would not stay, considering the charge of lives on board, and the dangers of the Channel, that he should be bound to return and report that to the emigration officer?—Decidedly; I would make it imperative on a man to return back if he found his ship was unmanageable.

2713. Captain *Scobell.*] What I meant by trying a vessel was not going out of Liverpool and sailing back again in two or three hours; but why should a vessel make her first voyage with human beings; why should she not make her first voyage with merchandise, and only after she had been proved, received as an emigrant ship? There would be no loss then; she would be like another trading vessel?—I consider that a vessel which has performed a voyage is more desirable than one that has not; yet I could not say that a vessel which was well built, and a great deal of pains taken in her construction, should be excluded from emigration. If I were going to Australia myself, I should select a ship which had been a voyage or two, because in a new vessel her decks very frequently leak, and when you get change of weather the decks contract.

2714. Sir *T. Herbert.*] Then, in hiring vessels for emigration, you would prefer a vessel which had been used before, or which had been a voyage, in preference to a new vessel?—Decidedly, I would prefer such a one; but still, at the same time, I do not think that new ships which have been well constructed should be excluded.

2715. Mr. *Peel.*] You would not exclude new vessels from the passenger trade?—Certainly not; but if I had the choice of two vessels I would select a vessel which had performed a voyage.

2716. Mr. *Liddell.*] In fact, those large vessels are fitted up for the purpose of carrying emigrants?—I do not know; I think not. I think the arrangement takes place after she is intended for the voyage. Probably all those things would be removed, which they certainly would be, when she got to Australia.

2717. So that you think one of these emigrant ships might carry out a cargo in the first instance, and yet be equally applicable to carrying emigrants afterwards?—Yes.

2718. She could carry out a cargo without any of those appliances which are necessary for the passenger trade?—I should imagine that all the bulkheads, which are put up for passengers, are removed on their arrival at the port where they are going to.

2719. Sir *T. Herbert.*] To enable them to bring home cargo?—Yes; probably these things may be fitted in grooves to enable them to be put up again; still they must all be removed before they can bring cargo home.

2720. Captain *Scobell.*] Is there any want of vessels for emigrant ships?—I should imagine not.

2721. There are always sufficient offering?—I think so.

2722. If there be sufficient offering, and as it may be better, as you have now admitted, to take a vessel which has performed a voyage, what injury is there in a regulation that no vessel which had not performed some voyage to some extent, short or long, should be engaged as an emigrant ship?—I think it might add to the comforts of the emigrant to take a vessel which had performed a voyage; but I should consider it a hard case, if I built a very fine ship, that she should not be eligible.

2723. Is it not a harder case on the passengers if they go out, as in the "Tayleur," and get drowned from the want of her being manageable?—I do not think that the "Tayleur," being a new ship, had anything to do with her being wrecked. It was entirely from the master mistaking his position.

2724. Did you take evidence on oath?—Yes.

2725. Did not Captain Noble swear that the ship would not steer well?—Yes; but I did not examine him upon that point. I heard his evidence before the coroner.

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coroner. He stated that she steered badly occasionally, but at other times very well.

2726. Did he not swear that she would not lie off, and would not veer with ease?—Yes.

2727. And that she would take several miles to wear in?—Yes, before the coroner.

2728. That was on oath?—Yes.

2729. Assuming that he is a man to be believed on his oath, however hard it might be upon the owner of a vessel who wanted to make his ship an emigrant ship, when she was ready to go to sea, would it not be a wise precaution, without reference to the profit or loss to the owner, that she should be subjected to a trial?—As one of the Committee said just now, if a vessel is at all unmanageable, it should be imperative upon the master to return again. But still, although Captain Noble stated such a thing, and he stated it to the best of his belief, I think, and I have no doubt you think the same, that a ship has no business to go to sea which takes five miles to turn round.

2730. I quite agree with you; but still, assuming that his story was true, that it took five miles, or even three miles to go round, looking to the ultimate result as to that ship, which was a very sad catastrophe, and the avoidance of such accidents in future, taking all the circumstances into calculation, as vessels can be got in abundance which have been at sea, would it not be on the safe side to exclude vessels which have not been at sea before?—I think it would be a very hard case; it is a rare case to hear of such an accident; but look at the number of ships constructed by our shipbuilders in London, Messrs. Greene and Wigram, and others, who build very fine ships; they would consider it a very great hardship when no accident of the kind has ever happened to their vessels.

2731. It has been stated in evidence that most of the emigrant ships which sail from London have come from some other port where they have been built, and have been tried to that extent, between that port and the port of London?—I believe a great many vessels built in British America, coming to this country, are afterwards chartered or taken up to convey emigrants.

2732. Have you at all turned your attention to the subject of tanks; did you hear what Captain Beechey said about tanks?—Yes.

2733. Do you agree with him on the necessity of a certain quantity of water being in iron, rather than in wood?—It is very desirable; I have had opportunities of judging, and I think it is better out of iron tanks than it is out of wooden casks.

2734. Has it come to your knowledge that water, when all in wood, is very often unwholesome before the end of the voyage?—Yes.

2735. Sir *T. Herbert.*] And further, great leakage occurs?—Yes; in many of the ships it is usual to take out filtered water, and that is put into iron tanks and remains good, probably as long as it lasts.

2736. Captain *Scobell.*] With regard to life-boats there is one in the room, and there will be other life-boats before the Committee of that kind of construction; if we can find any good plan of life-boat for such a purpose, not expensive, simple in its arrangements, and easily stowed away, do you think it would be desirable that there should be a regulation that emigrant vessels should have one or two of those life-boats combining such advantages?—In every respect, I should say very desirable, if portable and capable of being stowed away easily, and available at a short notice. You were questioning me just now as to manning vessels; it is the usual practice now for ships to take four men to the 100 tons. Here is a list of ships that belong to different owners (*handing in the same*) which go to Australia, and India, and other places, and they all carry that number without reference to emigrants at all. And when Mr. Soames gave his evidence before the Shipwreck Commission in 1843, he said that he considered it necessary to have five men and a boy to the 100 tons. However, ships are differently constructed now.

2737. Mr. *Peel.*] Is there not now a life-boat on board every passenger vessel?—Yes.

2738. What further provision on that subject requires to be introduced into the law?—If you could get, as was mentioned just now, a boat that was portable at a small expense, that could be stowed away easily, it would be beneficial.

2739. What

2739. What would be the difficulty in the emigration officer adopting that kind of life-boat, as the law now stands?—That boat would be only useful on certain occasions, but the boats they have now can be lowered at any time.

2740. The material point is, that every emigrant vessel going to sea carries with it a life-boat?—Yes; the boats that they now have can be used in the event of a man falling overboard at sea. Frequently, if there is a heavy sea on, you can lower your life-boat when it is not safe to lower your other boats.

2741. But you would not bind the emigration agents to take a life-boat of a particular sort?—If there is one that is very portable, and that can be stowed away easily, it would be desirable to have such a thing on board a vessel.

2742. But you would not propose that there should be a provision in the Act of Parliament that a particular sort of life-boat should be taken?—I do not know about the Act of Parliament; it would be a very desirable thing.

2743. Mr. *Meagher.*] Has the life-boat, as used at present, been found effective in cases of wreck?—In lowering the life-boat, in a great many cases it has been stove.

2744. Then, in fact, in the cases of those recent wrecks, the life-boat, from some cause or other, has been of no use?—In several cases which I have been employed to investigate, the life-boat has been perfectly useless, in consequence of having been stove when it was required. For instance, in the case of the "Eva," off Dublin, she stove her life-boat in attempting to lower it.

2745. In case a life boat was discovered not so liable to accidents of that kind, would not that be more desirable than one that is liable to accidents?—The boat now used can be used as another boat as well. This boat (*referring to the model*) could be easily stowed away, and in the event of an accident it could be inflated and used. I could not pronounce an opinion upon that boat.

2746. Sir *T. Herbert.*] The boat which is used at present as a life-boat is used in common with the others?—Yes, in many cases lately, the life-boat has been stove in in lowering.

2747. And generally stove on the quarter?—Yes.

2748. Now, knowing that, if a boat of that kind happens to be on the weather quarter, a vessel must either wear round, or stand the chance of the boat being stove in in lowering?—Decidedly.

2749. *Chairman.*] We have two or three plans of life boats before the Committee, upon which you are not asked to pronounce decidedly; but something of that nature which could be stowed handily out of the way would be a useful thing?—Yes, we have a great many models sent to the Board of Trade, but we generally decline to give an opinion. I think if you could have a life-boat at a small expense it would be very desirable.

2750. Captain *Scobell.*] Where is your present life-boat stowed now, when she is hoisted up?—She ought to be on the quarter, and is so in many of the steamers. Not only the emigration vessels, but all steamers carrying passengers from one part of the United Kingdom to another, are obliged to have a life-boat, or a boat made sufficiently so on the same principle as the life-boat.

2751. Where are they generally kept?—On the quarter.

2752. And only one life-boat?—Only one.

2753. If the life-boat was on the weather quarter she would be sure to be stove in, in lowering, if there was a heavy sea?—Certainly.

2754. Therefore she would become useless unless there was room to wear the ship round, which might not be practicable?—If you suppose the circumstance that you have mentioned just now, she would be.

2755. And even if she was on the lee quarter, still you often hear of accidents in lowering boats down?—Yes; but with great care I think you ought to be able to lower a boat from the lee quarter.

2756. From the darkness of night, and the confusion which always arises from danger, you often hear of accidents in lowering boats. In the case of the "Amazon" such an accident occurred?—In the case of the "Amazon" both life-boats were stove in. Some of the people were saved in one boat; but they were both stove in.

2757. If that is the case, it occasions more confusion?—Yes.

 2758. *Chairman.*]

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2758. *Chairman.*] Would it not be better that both quarter boats should be fitted as life-boats?—All these alterations require a great deal of expense; still, at the same time, there are many things that may be desirable that might not be exactly practicable.

2759. Practically speaking, as a seaman, is not a life-boat useless when it is upon the weather quarter?—Yes, if there is any sea on. The weather-boat might be lowered with caution, if a ship was going with only a little sea on.

2760. It is when the sea is on that a life-boat is necessary?—A common boat would do on other occasions.

2761. Would it not be better to have a boat on either quarter as a life-boat, and then you would have one efficient and available?—Decidedly.

2762. Captain *Scobell.*] Has it ever occurred to you that it would be an unreasonable requirement, that the owners of emigrant ships should provide a certain number of cork belts, at least one for each passenger, so that in certain cases each person would have something to float them?—In the investigation that I held upon the "Queen Victoria," it came out that they had a number of cork jackets. There were two cases on each side of the quarter deck, but in time of need they were not made use of.

2763. Do you know the cost of such things, what they are by the hundred or dozen?—The cost of a cork jacket is very trifling; it is merely the cost of the cork and line.

2764. If the expense was trifling, and each berth had one hung over it, with the number of the berth on the cork jacket, would that be desirable?—In a vessel with 400 emigrants, it would occupy a great deal of room to have 400 cork jackets available on all occasions; the best plan would be to have an inflated bed, and they could then take up their beds and make use of them. We have had some brought before us made of India rubber.

2765. Now would you approve of a cork jacket, supposing it was fixed under the pillow of each person; it would not take room then?—I do not think that it is necessary.

2766. Mr. *Meagher.*] Are there not belts, which are easily inflated, that are used in some vessels?—Yes; passengers take these things with them, but it is nor imperative on the owners.

2767. Have you been on the American rivers, where there is one for each passenger in the vessel?—I believe the Americans are much more strict in those things, as to their inland navigation, than we are.

2768. *Chairman.*] Have you ever considered the propriety of a regulation to cause vessels to be supplied with rockets to throw a line on shore. It is often the case with Captain Manby's apparatus, that it is difficult to heave a line on board a wreck, and it is much easier to fire from the vessel to the shore. Would it not be well if it was made compulsory on the master of a vessel to be provided in such an emergency with an apparatus to take a rope on shore?—Anything to assist in preserving the lives of the passengers is very desirable, but many of these things in the hour of need are not available or forthcoming.

2769. Captain *Scobell.*] Who provides the bedding for the emigrants, the owner or the emigrants?—I do not know; we have nothing to do with emigration.

2770. You have nothing to do with the internal arrangements?—Nothing whatever; the steamers which carry passengers out, and not under the emigration officers, are subject to the inspection of the Board of Trade.

2771. You have nothing to do with the dietary?—Nothing at all.

2772. Is there anything which you can suggest to the Committee for its consideration, which would improve that department which you know most of, as to the safety, convenience, or comfort of passengers?—I think that the emigration officer might see that charts, and an azimuth compass, and different things of that kind, were on board.

2773. *Chairman.*] A barometer?—A barometer decidedly; no ship should go to sea without one.

2774. A chronometer?—I should say they are always provided with chronometers; I think the emigration officer should inspect those things, and more especially the charts, and see that they have Admiralty charts. The coasts of the

the United Kingdom are so well known now, that I think most of the vessels have been lost from want of proper care and caution.

2775. What has been the result of the inquiry into Captain Noble's conduct?—The Local Marine Board of Liverpool has made a report, but it is not yet published. I dare say, if you make an application to Mr. Cardwell, the Committee can get it.

2776. Captain *Scobell.*] In your report on the "Tayleur," page 5, there is this paragraph: "I beg to observe, that it appears strange to me that the owners of an iron ship, with iron masts, who spared no care nor expense in fitting her for sea, should have omitted taking the necessary precaution of ascertaining the local disturbance of the compasses, by swinging the vessel after the stores and equipments were on board; this operation having been performed two months prior to sailing, and before the cargo was taken in." From that being found there, is it your decided opinion that that operation should be performed after the ship is ready to go to sea?—Decidedly, when all her stores are on board.

2777. *Chairman.*] Were the lower masts of the "Tayleur" of iron?—The foremast and mainmast, but not the mizen.

2778. Do you mean that all her cargo and stores should be on board before she is swung?—Yes, frequently boats' davits, and things of that kind, are put on board at the last moment. A vessel ought to be perfectly equipped for sea before her compasses are adjusted.

2779. Mr. *Liddell.*] Did you see the "Tayleur" before she sailed?—No.

2780. Then you never saw her?—Never.

2781. She was described as a most beautiful vessel?—I have got a plan of her, with her masts and yards, and also a specification of the build of the vessel. My opinion is, that she was as fine a vessel as ever went to sea; and as to the extraordinary story of her taking so long to wear off, that is a thing which very few sailors could understand.

2782. *Chairman.*] Is it beginning to be customary to have the lower masts of iron?—No.

2783. In case of having to cut away a mast in an emergency, will an iron mast go if you cut the lanyards of the rigging?—I think it would, decidedly.

2784. Captain *Scobell.*] You spoke of the necessity of soundings; did you ascertain whether in the "Tayleur" they hove the log?—Yes, they did; they hove the log by the common log; they had not a patent log on board.

2785. Had they continued heaving it hourly, or at some stated period?—That I inquired into, but the lead was never hove from the time of leaving Liverpool.

2786. She must have run some distance, then, or else she would not have run against Ireland?—It is a most extraordinary thing, if you look at the chart; the captain expected that he was off Wicklow Head, and found she was in Lambay.

2787. *Chairman.*] If she had cut away her mizen mast, and afterwards cut the lanyards of the rigging, she possibly might have wore, and steered clear?—I think they certainly were so close to the land, that it would have been very difficult to have performed any operation of that kind.

2788. Captain *Scobell.*] The final efforts to save the vessel were three; they tried to wear, they tried to stay, and they let go both anchors, and neither resource answered the purpose; do you think, if they kept to the one or the other, if, for instance, they had persisted in wearing the ship, or if they had given up all hope of that, and had clewed the sails up, might she not have held to her anchors?—If there had been sufficient time to cut away the masts and let go the anchors, I think she might have been saved.

*Jovis, 6° die Aprilis*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Mr. M. Milnes. |
| Mr. Peel. | Mr. Liddell. |
| Mr. Meagher. | Mr. Geo. A. Hamilton. |
| Captain Scobell. | Mr. Fagan. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Dr. *George Douglas*, called in; and Examined.

Dr. *G. Douglas.*

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2789. *Chairman.*] ARE you medical superintendent at Grosse Island?—Yes.

2790. How long have you been so?—I have been eighteen years medical superintendent at Grosse Island.

2791. You were there during the last emigration of the first year of the famine?—Yes, I was there during the whole of 1847.

2792. Was there not a very considerable amount of mortality then?—Upwards of 5,300 were buried on the island during that year.

2793. Was that mortality in consequence of the distress, or was that at all attributable to the bad arrangements on board the vessels?—In the first instance, I should say, owing to the distress and the state of starvation in which the people embarked, and a class of emigrants being sent out who were wholly unprepared for emigration.

2794. Mr. *Peel.*] Have you observed any improvement in the condition of the emigrants arriving in Canada since the passing of the present Act?—A marked improvement.

2795. And in the fittings of the vessels?—Yes, and in the provisions and general arrangements.

2796. Does every vessel which arrives in Canada form the subject of a report to you?—Every vessel that arrives in Canada, having more than 13 passengers on board, is obliged to bring up and undergo an inspection of the passengers.

2797. Before the passengers are landed?—Before the passengers are allowed to proceed to the port of Quebec, which is 27 miles distant.

2798. The emigration of last year was very successful, was it not?—Extremely healthy, and one vessel only arrived having had a greater number of deaths on board than what would have occurred in the ordinary course.

2799. Was that the "Fingal"?—Yes.

2800. In that vessel cholera broke out?—Yes.

2801. How many deaths were there?—Thirty-two deaths; I cannot be positive, not having my list with me.

2802. *Chairman.*] What time of the year was it?—Late in the autumn; she arrived in Quebec on the 15th of October.

2803. Did the passengers make any complaint to you of the arrangements on board, whether medical or otherwise?—There were several complaints of the vessel; but much of the mortality and distress was owing to there having been a number of them who had already embarked in another vessel, which had been water-logged and obliged to put back, and they had been transferred from Cork, where they had been landed, over to Liverpool. Those passengers are always sick, and exhaust their little sea-stores; their *morale* is bad.

2804. What vessel are you now speaking of?—The "Fingal;" part of the passengers of the "Fingal" had been in another vessel.

2805. Mr.

2805. Mr. *Meagher.*] Was that vessel detained at the quarantine station at Grosse Island?—The "Fingal" came up to Quebec, and a good deal of alarm was excited by cholera; she was sent back to the quarantine station.

2806. She did not, in the first instance, stop at the quarantine station?—She did; it is usual to close the quarantine station in the month of October.

2807. She arrived after that?—Yes.

2808. Had you an opportunity of seeing the arrangements on board that ship?—I had.

2809. State to the Committee what the arrangements were?—The arrangements were similar to what were generally observed in emigrant vessels coming from the port of Liverpool; they were very good. The vessel had a cargo of iron on board, which always causes the ship to labour, and very often to leak.

2810. Had you any opportunity of inspecting the water or provisions that remained on board?—I saw both the water and provisions, and they both appeared to be good; they complained of the scarcity, but I believe they were issued regularly to them, as far as I could learn.

2811. How many cases of sickness landed?—I had not a single case of sickness after they arrived, nor a death; they were in good health when they arrived. The disease which carried them off had ceased to exist, and there was not one after the arrival at the quarantine station.

2812. *Chairman.*] Then there were none landed?—There were none sent to the hospital; they were all landed there. There was a case of injury to an old woman, who fell into the hold, and one or two others, who were landed at the Marine Hospital at Quebec, but none admitted to our hospital at the quarantine station at Grosse Island.

2813. Mr. *Peel.*] Where does the inspection by the emigration agent take place?—After the vessel has passed the quarantine station.

2814. Mr. *Meagher.*] Then the inspection must have taken place of that vessel, before she went back to the quarantine station?—I believe no inspection took place, except by the medical officer of Quebec, and that was a very partial one.

2815. In fact, there was no inspection of that vessel by the emigration officer at Quebec at all?—No inspection took place, in consequence of the fear existing on board of contagious disease, which rendered it unsafe, or it was deemed unsafe by the medical officer of the port, to go on board.

2816. An inspection by the medical officer was substituted for an inspection by the emigration officer?—It is customary for the medical officer to examine the vessel, and, after he has given her pratique, for the emigrant officer or his agents to go on board.

2817. Mr. *Peel.*] Is there generally a surgeon on board of vessels going to Quebec?—Invariably, now, where the number exceeds one hundred, the provisions of the Act in that respect are generally complied with; I have never heard any complaint.

2818. The provisions of the Act only require a surgeon when there are 500?—When the number exceeds 100, unless the captain chooses to take a greater proportion to the tonnage.

2819. Is that in English or American vessels?—I am speaking of English vessels.

2820. Mr. *Meagher.*] Are there any local regulations or Acts in Quebec that are more stringent in their character than the Act of the Legislature here, with regard to emigrant vessels?—The provincial Act has reference chiefly to the character of the emigrants who are allowed to land at the colony, and to their detention under certain circumstances.

2821. Mr. *Peel.*] The Imperial Act extends to Canada, and can be enforced there?—Yes, by summary process before a magistrate.

2822. *Chairman.*] Was there any medical officer on board the "Fingal"?—I think there was none; she was under the number.

2823. Did you examine the state of the hospital on board of her?—The hospital on board, when the vessel has not her full complement of passengers, is generally made by devoting a large space fore or aft for the reception of the sick.

2824. Does that appear to have been the case on board the "Fingal?"—There was a place set apart on board the "Fingal;" the arrangements were not good, nor were they able to receive any medical attendance, in consequence of not having a medical man on board.

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2825. Did there appear to be a stock of medicines?—There was an ample stock of medicines, and the captain was an experienced man, who had been bringing emigrants for the last ten or twelve years.

2826. We have had it in evidence that he totally misunderstood the management of the disease, and gave such things as Epsom salts?—It unfortunately happened at the time that vessel passed the Atlantic that there existed a state of things there, from what cause it is difficult to say; but wherever the emigrants were exposed to wet and cold, a disease, analogous to the cholera, appeared, which carried them off in a few hours, with very little suffering.

2827. Mr. *Peel.*] The North American provinces were more fortunate in that respect than the United States?—Simply because our emigration terminated earlier.

2828. Mr. *Meagher.*] Then you do not consider it desirable that the winter season should be the season for emigration to Canada?—It is impossible, as our navigation closes in November, for a vessel either to arrive or depart. This vessel arrived in October, and she was the last.

2829. *Chairman.*] Do you think it desirable that the law should be altered so as to have surgeons, where there is a smaller number of passengers than the number now entitling the ship to have a surgeon, or rendering it necessary?—Undoubtedly there would be great advantage in having medical assistance, if the number exceeded 50, as it used to be.

2830. Did you remark the arrangements below for the accommodation of the sexes; was there a proper provision for the separation of the sexes?—It is not usual to have that in vessels from any port except London.

2831. You have not seen it on board the vessels?—It is not usual in the Irish vessels; I am not positive; but I have never observed it, except in vessels from the port of London.

2832. You have not seen it in vessels from Liverpool?—I think not; I think it is not general.

2833. And your experience extends over 18 years?—Yes.

2834. Mr. *Peel.*] Are not the single men separated from the rest of the emigrants?—Not usually; it is not the custom to divide families. People are generally divided into families. It is done more perfectly from London, because many of the emigrants sent from London are sent by some charitable institution, or from the poor-houses, where they do make that separation.

2835. *Chairman.*] Are you aware that there is a regulation for the separation of the unmarried men from the rest of the passengers?—I am not aware that it is imperative by law.

2836. Captain *Scobell.*] What is the office which you hold now?—Medical superintendent.

2837. Who appoints you?—I am appointed by the provincial Government.

2838. What are the chief duties?—My chief duties are to inspect the passengers, to ascertain their state of health on their arrival.

2839. On board, or on shore?—On board; immediately on the arrival of a vessel, I go on board, and the passengers are mustered, all that are able to come on deck, and pass in review before me.

2840. Is there any other examination of the passengers?—Immediately after the passengers are examined I go down into the hold, and examine the state of the vessel as to cleanliness, and oblige such means to be taken as will ensure the perfect cleanliness of the ship before she is allowed to leave.

2841. That being done, have you any written report to make?—If there are no sick on board, I have no report to make.

2842. But supposing any of the arrangements of the Act are not complied with in the vessel, do you then make any report?—It is no part of my instructions to do so, unless it has a bearing on the health of the passengers.

2843. Inasmuch as health must depend on ventilation, and arrangements of that kind, would it not be desirable that that should be part of the duty of the medical superintendent?—Although no part of my instructions, whenever numerous cases of sickness occur, and I am able to trace it to neglect of cleanliness, or deficiency of food, I report it, or notice the circumstance.

2844. In your opinion, if you had more authority in that respect, and it was more incumbent on you, also, to make such investigation, and to report to some proper quarter, would not that be a desirable arrangement?—I have suggested, more than once, that it would be more easy for the emigrant agent to

to ascertain all those particulars. If he had an office at the station where I am, he would have a greater facility for doing so. It is his particular province to inquire into that, and to prosecute the parties offending.

2845. In every arrangement connected with health, so far the medical gentleman can best judge; the emigration officer cannot judge of certain improprieties or want of arrangements in a vessel so well as a medical gentleman; would it not be better to adopt the medical gentleman, than to leave it to the emigration officer, who cannot so well understand it?—It certainly would be more easy for the medical man to do so.

2846. To whom do you report?—I report to the Governor-General.

2847. Is that in writing?—In writing, in a printed form.

2848. If there is anything special, you report specially?—Generally, the number of admissions, and discharges, and deaths, the vessel from which they come, and the causes.

2849. There was one vessel which has been spoken of, the "Fingal;" did you find the air very bad below?—Not so bad as it usually is in the summer season; the weather was cold and stormy. The ports were open when she came, and there was nothing offensive.

2850. We have had it in evidence respecting that vessel, that the smells below were very bad indeed?—In all emigration vessels there is, more or less, a confined smell.

2851. And that the ventilation was bad?—It is always a difficult matter to ventilate a ship; it is a problem to solve how it can best be done.

2852. Can you make any suggestion upon that point?—It is impossible to suggest any means by which perfect ventilation can be obtained.

2853. More perfect than now?—A vessel sailing upon the water is partly submerged; you cannot direct a current of air through the whole.

2854. The passengers do not live under water; they live above where external air could be admitted?—When vessels are at anchor, in smooth water, we can ventilate them; but during the voyage, when it is impossible to keep the ports open, you cannot do so.

2855. Sometimes there are small apertures, which they call scuttles, which are eight or nine inches long, and half-a-dozen inches wide?—Yes, those are very excellent side-ports or scuttles; but in North American vessels few of them have them. The larger class of vessels coming from Liverpool or London have them, but not those coming from smaller ports.

2856. And would it not be desirable that they should have them?—It would be very desirable, and one of the best means.

2857. They are easily secured in case of bad weather; are there no means of carrying air down the hatchways by windsails?—That is done; but you cannot expel the foul air; in bad weather it very often occurs that the hatchways have to be closed.

2858. Do you examine the quality of the medicines?—It is usual to produce a certificate that they have a supply of medicines on board. If there have been cases of sickness, I usually examine the medicines.

2859. As to the quality of the medicines; because there are some inferior medicines bearing the same name?—I have never made it my business to make that minute examination of quality.

2860. Would that be expedient to do?—I should hardly think it necessary.

2861. Do not medicines vary, so as to make it necessary?—But it would require an analysis to detect anything wrong.

2862. Mr. *Peel.*] Do you find the surgeons competent men?—No, certainly not, from the difficulty of obtaining qualified men. It is an exception to the rule if the medical gentlemen who come out in charge of emigrant ships are men who are regularly educated.

2863. Are those English practitioners?—The London ships are an exception; I have generally found those in the London ships well qualified, but I mean those coming from the smaller ports.

2864. Is there a large emigration from London to Canada?—It is limited.

2865. Recently?—I am not prepared to state the number less than from other ports.

2866. Are not the emigrants principally Germans?—Partly Germans, but chiefly parties sent out by institutions, and the better class of emigrants who come out on their own resources.

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2867. But the emigration from London is small?—Yes, compared with the other ports.

2868. Mr. *Liddell.*] From which ports is it larger?—From Liverpool, Cork, Dublin, New Ross, and Limerick.

2869. Captain *Scobell.*] Is there a very large proportion from Liverpool out of the whole?—A very large proportion; the largest proportion I think comes from Liverpool. A great proportion has come from New Ross latterly, but the greater number comes from Liverpool.

2870. Are the Liverpool vessels better or worse than the vessels coming from other ports?—There is a marked improvement in the manner in which emigration comes from Liverpool now; when I was first connected with the quarantine establishment it was rare to find a Liverpool vessel without sickness or fever.

2871. Mr. *Liddell.*] How many years ago is that?—Eighteen.

2872. *Chairman.*] There is an emigration superintendent at Quebec?—The Government agent.

2873. Does this gentleman seek your assistance when he goes either to survey a ship that has just come in, or is about to depart from Quebec?—The establishment with which I am connected is 27 miles from Quebec; we rarely communicate except by letter.

2874. Mr. *Peel.*] It was stated by one of the witnesses before us, that the vessels which take out emigrants to Canada were sent there for the purpose of loading with timber, and that they were quite unfit to carry passengers on the outward voyage; have you ever observed that?—It is evidently a mistake on the part of the gentleman who stated it; there are few vessels better adapted to the conveyance of emigrants than the large sort of ships that come out for timber, inasmuch as they usually come in ballast. There is ample room and space.

2875. Was public attention in America directed to the large mortality on board vessels to New York last autumn?—I left America in the month of November last.

2876. It was after that month that this excessive mortality took place?—Yes.

2877. *Chairman.*] When you visit those ships that arrived from Europe, do you find that emigration regulations are pasted up on board?—Invariably, in the hold.

2878. Was there no regulation with reference to the boarding off the passengers, or the separation of the sexes?—I cannot say; although I have seen it pasted up constantly, I do not know that I ever read it.

2879. The Act provides, in section 19, "That in every passenger ship all unmarried male passengers of the age of 14 years and upwards shall, to the satisfaction of the emigration officer at the port of clearance, be berthed in the fore part of the ship, in a compartment divided off from the space appropriated to the other passengers by a substantial and well-secured bulkhead, or in separate rooms, if the ship be divided into compartments, and fitted with inclosed berths. Not more than two passengers, unless members of the same family, shall be placed in the same berth: nor in any case shall persons of different sexes, above the age of 14, unless husband and wife, be placed in the same berth"?—That regulation is not enforced in vessels coming from the ports of Ireland.

2880. There appeared then to be no separation of the sexes?—No separation of the sexes; I am not aware that I ever observed it in those vessels coming from Ireland.

2881. Is not the bulk of the emigration from Liverpool?—I should say there are more who come from Liverpool than any other single port. The emigration from Liverpool may be a tenth of the whole emigration, or more than that; I dare say, out of 30,000 emigrants there would be 5,000 or 6,000 from Liverpool.

2882. Are many of them two-decked ships, that is, do many of them carry passengers on two decks?—No, I think not.

2883. Are they generally single-decked ships?—Single-decked; many of them have a house on deck.

2884. The question referred to between decks?—None of them.

2885. Are you aware of the state of the United States law with regard to emigration?—I am not aware of it at present. I have seen a copy of our law in Canada; our provincial law in Canada was made to assimilate as near as possible to it.

2886. Have you remarked, in vessels which have come under your cognisance, any species of provision for securing ventilation in bad weather by a housing over the hatchway, whereby the lee windows or lee ports in these houses might be kept open, and the air go down the hatchway, whereas, in the ordinary vessels, the hatchways are battened down close?—All the foreign vessels have that provision. It is a great convenience, and it is very desirable that it should be enforced for the health of the passengers.

2887. Enforced in British vessels?—Yes.

2888. Mr. *Peel.*] Have the emigration vessels increased in size lately?—They have.

2889. They carry a larger number of passengers?—The vessels are much larger than they were formerly.

2890. Do you think that that increase in size has been attended with any increased risk to the health of the passengers?—I think not.

2891. You have not observed that the mortality increases with any steadiness with the size of the vessel or the number of passengers?—No; rather the contrary.

2892. Do you require the surgeon to report to you any cases of sickness that have occurred on board during the voyage?—The surgeon makes a report on his arrival, and in the absence of the surgeon, the captain.

2893. In writing?—No, it is usually printed questions which I put to him. After having put them to him, I read them over, and he signs them.

2894. Does he not keep a record of the deaths on board?—Yes, his mate does generally, in the log-book. I call for the log-book, if deaths have occurred, and from that the mate gives me the dates of the deaths, the age of the parties, and the treatment, as far as they could treat them where they have no medical man on board.

2895. Mr. *Meagher.*] Did you call for the log in the case of the "Fingal"?—Yes.

2896. Did you find the deaths recorded there?—I found not the names of all, but in a separate list which the captain produced were the names of all those who had died, and the date of the deaths.

2897. They were not on the log?—No; I was able to verify its correctness by the passengers' list with which she cleared out of port.

2898. But the deaths were not recorded in the log?—To the best of my recollection they were not.

2899. With regard to the "Fingal," did any of them land at Quebec before the ship returned to the quarantine station?—Three or four of them were sent to the hospital, and the aged female who fell into the hold.

2900. There were three or four others besides the case of accident?—That were indisposed, and were sent by the medical officer.

2901. Then in point of fact there were four or five persons sent to the hospital in Quebec?—There were.

2902. Mr. *Peel.*] Is there any emigration from foreign ports to Canada?—Considerable. Last year the Norwegian emigration, which usually takes the course to New York, came, with one trifling exception, to Quebec.

2903. What is the character of that emigration?—Good; we have never had any sick although the voyage is long; the passengers always seem amply supplied with provisions.

2904. Are the emigrants of a superior class to those who go from this country?—They seem more wealthy and comfortable in every respect. I think the emigration from Norway last year was about 7,000.

2905. Captain *Scobell.*] Are these foreign emigrants subject to the same supervision from your and other departments?—Precisely.

2906. You said some time ago that there were certain notices placed in the hold; perhaps you are aware that the hold is not a place which is occupied by the passengers?—I meant to say between decks.

2907. With regard to the sickness you spoke of prevailing, putting aside the cholera, is it chiefly among children, or adults, or old people?—The mortality is chiefly among children and aged people.

2908. The diseases among the children are more or less infectious; are they not?—Many children embark with nursing mothers; the effect of sea sickness, the want of nutriment, and the change of circumstances occasion the mother to

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lose her milk, and the child often dies from the difficulty of supplying any substitute for it.

2909. Do not measles and scarlet fever sometimes prevail among the children?—Yes.

2910. Mr. *Peel.*] Have you ever known any instance where the supply of provisions has run short?—Not within the last two or three years.

2911. Not since the passing of the present Act?—No.

2912. Is not seventy-six days an ample estimate in victualling the ship?—It has occurred only in three instances that the passages have exceeded that.

2913. What number of days?—Ten weeks.

2914. *Chairman.*] You have stated that these foreign vessels were chiefly from Norway?—Yes.

2915. On board of them, did it appear to you that the arrangements for the passengers below were better than in our vessels?—They seemed to be similar.

2916. Was there a separation of the sexes?—There was no separation of the sexes.

2917. What was the case with regard to medical attendance?—They rarely had a medical man on board. I am not positive on that subject, but I think the Passengers' Act does not apply to ships leaving foreign ports.

2918. Mr. *Meagher.*] What is the greatest number of passengers carried in any vessel to Quebec?—The number is in proportion to the tonnage of the ship.

2919. Will you state, within your recollection, what has been the largest number on board any vessel?—Six hundred and five.

2920. *Chairman.*] Were they on two decks?—No; they were all on one deck.

2921. Mr. *Peel.*] Are the provisions now generally issued in a cooked state during the voyage?—They are not issued in a cooked state, and that I think is one of the evils of the Act. I think if an extra quantity of oatmeal was issued, and some provision made for cooking one meal a day for the emigrants, it would very much conduce to their health.

2922. Is that the case with vessels leaving the ports of this country?—It is.

2923. Is no attempt made to issue them in a cooked state?—In some vessels, where the number of passengers is small, they do cook for them; but the Act requires that a cook should be appointed, and a cook generally is appointed, but where every person's own particular little mess has to be cooked, it is almost impossible for it to be done, and the weaker are obliged frequently to go without having their provisions cooked.

2924. In what particulars have you observed the marked improvement you spoke of in the state of emigrants since the passing of this Act?—Previous to the passing of the Act there was no obligation on the ships to furnish food.

2925. I am speaking of the Act which passed in the autumn of 1852?—I thought you alluded to the general Act.

2926. Does the existing Act, which is the amended Act of the year 1852, appear to you to be a great improvement upon the previous law?—I spoke of the improvement in the condition of emigrants generally. It is matter more of opinion.

2927. Have you observed any improvement in the condition of emigrants in the last 18 months or two years?—Yes, I have, from the small number of deaths on the voyage, and the few cases of sickness admitted to hospital.

2928. Do the emigrants rely upon the Parliamentary scale of provisions, or do they generally take their own?—They generally take a little supply of their own, more or less, but they rarely rely on their own.

2929. Mistrusting the sufficiency of the Parliamentary supply?—Not so much the supply, but mistrusting their ability to eat food to which they are unaccustomed; the Irish emigrants never eat a biscuit unless starved to it.

2930. Would that account for their food not being issued in a cooked state; that the cooked provisions offered by the ship are not acceptable to these passengers?—It rarely happens in any of the Irish vessels that they have their rations cooked for them; there is a cook appointed whose chief duty it is to keep the fires in the boiler and other places, but there is no provision made for issuing them in a cooked state.

2931. You are speaking of ships which you have inspected within the last 18 months?—Yes.

2932. During the last season in fact; since the last Passengers' Act?—Yes.

2933. *Chairman.*]

2933. *Chairman.*] Section 33 enacts that those provisions which require to be cooked shall be issued in a cooked state?—Yes.

2934. Mr. *Peel.*] Have there been many prosecutions by the emigration agent?—Some have been prosecuted; I am not aware how many.

2935. That does not fall within your department?—No, it does not; as I do not reside in Quebec I am not capable of giving an answer; but the cooking is a fertile source of trouble in all ships, and a continual cause of quarrelling and fighting.

2936. Was not the general result of the emigration of last season most satisfactory?—Yes.

2937. The mortality did not exceed a half per cent.?—It was something less than one per cent.

2938. Mr. *M. Milnes.*] Do you receive complaints made by emigrants on their arrival?—I am not officially bound to do so; when any complaints are made to me of a glaring nature, I generally write and call it to the attention of the emigration agent in Quebec.

2939. Mr. *Peel.*] You make an annual report?—Yes.

2940. Which is transmitted to this country?—Yes.

2941. Mr. *M. Milnes.*] Do you find that there is considerable unwillingness on the part of emigrants to complain of the hardships they have endured?—There is frequently.

2942. Is it because they anticipate great difficulty in getting redress?—It proceeds more, I think, from an unwillingness to be detained on land; they are anxious to get to their destination; they have had quite enough of the ship and everything connected with it.

2943. Mr. *Peel.*] There is no unwillingness on the part of the provincial Government to provide an effective machinery for the enforcement of the law?—On the contrary, there is every disposition to afford redress; the emigration agent spares no pains to do so, whenever he can find a case calling for his interference.

2944. Is there not a liberal establishment supported by the Provincial Government for the purpose of seeing to the comfort of the emigrants?—Yes.

2945. Mr. *M. Milnes.*] You are not aware of any case in which redress has been demanded, where it has been either refused or unwillingly given?—Not one.

2946. Mr. *Peel.*] Has any contrast been drawn between the favourable character of the Canadian emigration and the emigration to the United States; do you believe, as a general rule, that the emigration to the United States is attended with considerable mortality?—I think, within the last year or two, emigrants coming to Quebec have had advantages which they have not had in going to New York, from the opportunity afforded them of obtaining redress, which they have not in New York, or in the United States, owing to the want of co-operation between the officers whose duty it is to give it.

2947. In fact, there are no officers in the United States whose special duty it is to see their law carried out?—No; there is an emigration society of charitable individuals in New York, who appoint an agent.

2948. And when the emigrants arrive at Quebec, they are forwarded by the Provincial Government to where there is a demand for labour?—Yes, they are forwarded at the expense of Government.

2949. But in many instances the guardians of the poor, and private persons, send out along with the emigrants the means of forwarding them to their destination in the province?—They send a sum of money to the Government emigration agent, to be paid to the emigrant on his arrival.

2950. Mr. *M. Milnes.*] Would it not be the duty of the English consuls at the American ports to see that redress was given to any emigrants who had been ill-treated?—It might probably form a part of the duties of the consul, but I am not prepared to say that it should. It is extremely difficult. A few years ago a gentleman of the name of Foster passed a few days with me, who had taken a passage out in an emigrant ship merely with the view of testing the treatment; and he was unable to obtain redress in New York, and had no other means of doing so than by publishing the case.

2951. Mr. *Peel.*] The consul has no power to go on board, has he?—I think not.

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2952. The consul could have no power in New York of obtaining redress?—I am not aware what the powers of the consul may be in New York.

2953. Mr. *M. Milnes.*] Did you not hear of the case of Mr. Matthew, the consul at Philadelphia, being able to procure very ample redress for some British emigrants?—I have been absent from England for the last few months, and have not heard of the case.

2954. Captain *Scobell.*] You were asked as to the redress given in Canada; that redress is at a very considerable distance from where your duties are?—Yes, 27 miles.

2955. You say that redress was always given; have you the power of knowing either the nature of the complaints, or the result?—I speak particularly of those cases which I called to the attention of the emigration agent.

2956. Your own complaints?—Yes.

2957. Have you any grounds, from your own knowledge, for saying that redress is given at Quebec, such as it ought to be?—I think in all cases where the emigrants choose to remain, and furnish the evidence which is required, that redress is obtained. Frequently, after making their complaints, they or their witnesses go off, which makes it difficult for the emigration agent to investigate the case.

2958. Mr. *Liddell.*] Do you think the knowledge that the opportunity exists at Quebec of obtaining redress in cases of grievance upon the voyage, has tended to remove the grievance itself?—Yes, it has tended to make masters of vessels more careful.

2959. So that there can be no reasonable complaint of the condition of the law, as it exists, for the protection of emigrants on the other side of the water?—On the contrary, on the other side, the shipmasters and shipowners complain that they are unfairly dealt with, and that there is a strong leaning to the emigrants.

2960. Captain *Scobell.*] Are you familiar with the Act of 1852, the Emigration Act?—I have read it over, but I cannot say that I am familiar with it.

2961. The 23d section says, that "No 'passenger ship,' having on board as many as one hundred statute adults, shall clear out or proceed to sea without having an adequate and proper ventilating apparatus, to be approved by the emigration officer at the port of clearance, and fitted to his satisfaction." Have you found such a practice on board all the vessels?—It would be impossible for me to know what would be considered a sufficient one. There are windsails, and some of the Liverpool ships have the American patent pipe for ventilating; but I was not aware of that part of the Act.

2962. Have you found such a difference in the mode of ventilating as to make one kind of ventilation better than another?—Yes.

2963. Could you point out to the Committee what species of ventilation you most approve of?—The one which I have found the best consists of a pipe; I cannot recall the name.

2964. *Chairman.*] Canvass or wood?—No, a metal pipe, which goes from the deck into the hold.

2965. Captain *Scobell.*] Calling your attention to the dietary scale, do you think three quarts of water sufficient?—Yes.

2966. There is biscuit, flour, oatmeal, rice, sugar, tea, cocoa, coffee, and salt, but there is not an atom of meat?—No. Previous to the passing of the Act it was sent out to Mr. Buchanan and myself, and my suggestion was, that a small quantity of animal food, or fish, would conduce to the health of the emigrants, but it was not adopted. I am still of the same opinion as then.

2967. What is the quantity of meat you would recommend to be given, and how often?—I think if the allowance was equivalent to a quarter of a pound a day, or from two pounds to two pounds and a half a week, free from bone, it would conduce very materially to their health.

2968. You think it desirable that there should be some meat?—Some, or fish.

2969. In the alternative dietary table there is a little meat allowed?—There is.

2970. Do you know which dietary table they generally use?—On board of the vessels from Ireland they never issue meat, nor rarely from Liverpool. London vessels do, and the Scotch vessels give fish.

2971. Do you find the provisions good?—Generally good.

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2972. *Chairman.*] Did the state of the water-closets, or the deficiency of them between decks, attract your notice?—There are no closets between decks, and I should consider their position there very unsafe and dangerous to the health of the emigrants. A better and more secure temporary erection on deck in their present position would be much better. Complaints are frequently made that the water-closets on deck are knocked down soon after leaving, or carried away by the shipment of heavy seas, owing to the slight and inefficient manner in which they are built.

2973. Have you any suggestion to offer with regard to the surgeons on board emigrant ships?—I am able to state that the qualification of the surgeons who come out in charge of emigrant vessels from Ireland are mostly very inferior; in the London vessels they are generally well educated men, and fully qualified, and so are those coming in charge of the large vessels chartered to bring out Scotch emigrants when sent by their landlords. Of course it is only when sickness occurs that my attention is called to the qualifications of the medical men; in those cases (and they now form the large majority) where there have been no deaths or sickness, I am only able to infer their want of ability from conversation.

Mrs. *Caroline Chisholm,* called in; and Examined.

Mrs. *C. Chisholm.*

2974. Mr. *Peel.*] YOU have taken great interest in examining vessels with emigrants, and attending to the comfort of emigrants?—I have, for nearly 14 years.

2975. You were in this country when the present Act was passed?—Yes.

2976. So far as your acquaintance with the subject has gone, does it appear to you to be a great improvement on the previous Act?—A very great improvement.

2977. Does it appear to you that the space which is allotted to each emigrant in the passage to Australia is sufficient?—It is not sufficient for health, and that separation which all would like; you cannot have enclosed cabins without giving increased space.

2978. The present space is 15 superficial feet?—That gives a width of berth of 18 inches, which is not sufficient. I made inquiry of a tailor, which gave me a good idea of the measurement, and he told me that the average width of the back of a man's coat is 21 inches. I think 12 per cent. more space than is given by the last Act is necessary.

2979. As a general rule, are the berths in the Australian vessels not broader than three feet; do they contain two passengers, or one?—One; they are single berths.

2980. Although the law allows two persons to be placed in the same berth, in practice there is a berth for each person?—Yes; there is a berth for each person in the Australian emigration from the port of London.

2981. Is that berth not wider than eighteen inches?—I believe they are lately giving 21 inches; they are measuring the ships in a different manner, which is giving them eight per cent. more space; but four per cent. more space than what the new Act now permits is required. I would give enclosed cabins to every married family, and would have the single females in cabins to themselves, separated in a proper manner, and also the single men. I find no objection to such an arrangement by the families; indeed the parents rather prefer that their daughters should go into separate cabins, and their sons also, when above a certain age; they only like to keep their young children with them. Their ideas of propriety are, in that respect, very satisfactory.

2982. The single men are berthed separately from the rest of the passengers?—Yes, and generally in single berths.

2983. In the fore part of the vessel?—Yes.

2984. Has not the emigration to Australia, till within the last 12 months, been principally from the port of London?—It has.

2985. Now there is a considerable emigration from Liverpool?—I think there is a larger emigration going on from Liverpool at the present time than from London.

2986. Are the vessels from London generally of a higher class, and better fitted up than the vessels from Liverpool?—I think they are superior. I have been over them several times and examined both, and I think that superiority is in a

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great degree owing to the fact that in London public opinion is bearing more strongly on the subject than in Liverpool. We have in London an immense body of people, who are not connected with the shipping, but who feel an interest in it. The London press is also paying great attention to the condition of emigrant ships.

2987. Do you object to any large number of emigrants being taken in one vessel?—I think more than 280 ought never to be taken; I am unwilling to say 300.

2988. *Chairman.*] In one vessel?—Yes.

2989. Mr. *Peel.*] You do not approve of those large vessels which have two decks, and carry 600 passengers?—No; it is almost impossible to prevent disease breaking out among so many.

2990. Are greater risks run where there is a large number of children?—That I think is owing to the very little thought and care that has been bestowed upon children.

2991. Do you mean in respect of the provisions not being suited to them?—The provisions not being suited to them, and no space being allowed for them. I think it is one of the greatest needs that every infant should have the space of half an adult. I think it is want of space, more than anything else, which has caused so many deaths among children.

2992. Are they not now reckoned as half an adult?—Not in space.

2993. Do you know anything of the American law?—I know nothing with regard to the American law. The dietary scale now used by the Commissioners for Australian emigration is very good; they have included a very good dietary for infants. I think if that dietary scale is legalised for other ships, we should not hear of so many little children being lost.

2994. In the case of unassisted emigration to Australia, is there not generally a contract scale of diet, differing from the Parliamentary scale?—That is frequently very deficient, but I think it would be a very great protection that there should be one scale established and carried out for all emigrant ships to Australia.

2995. But these contract scales are an improvement on the Parliamentary scale?—In a slight degree.

2996. But there is great difficulty in enforcing the contract; the provisions are not issued according to the contract, and the passengers are left to the ordinary remedies at law to compel compliance with the conditions of the contract?—I think that the class which emigrate from London are a class who, if they have law on their side, will not mind looking after it. I am not afraid of their submitting quietly to imposition; on the contrary, they are people who will, and do, look very well after their own interests.

2997. Then you think the diet, as far as adults are concerned, is good enough?—Very good, and the dietary scale now in use for infants I consider very appropriate.

2998. In what vessels?—Those chartered by the Emigration Commissioners; they have a new scale of diet; formerly there was no scale of diet for infants.

2999. But is there any objection on the part of shipowners to adopt the scale of the Emigration Commissioners for infants on board their vessels?—I do not think there would be any objection to it; but, as far as infants are concerned, I think this Committee ought to place the children in a condition to have no objection raised by their parents or themselves. They are frequently apt to say, "This is a little child; you will charge nothing for it." The child requires space, and needs food, and the mother's milk generally fails them in about six weeks.

3000. *Chairman.*] Is there any substitute provided for that in the way of preserved milk?—It had been customary, when there was not sickness on board, to draw for the children from the medical stores; and this drawing from the medical stores was a frequent cause of death afterwards, because, when they had any real illness, the comforts which had been put on board had been consumed by the little children as ordinary diet; therefore I think the ordinary diet for infants should be on a scale sufficient for them, and quite independent of the medical stores.

3001. With reference to the space necessary for children, the Act provides that two children above the age of one year, and under 14, shall have the same space

space as one statute adult?—I think children require that space even if only two days old. There are frequently as many as 40 infant children in a ship.

3002. Mr. *Liddell.*] The moral of your evidence is, that children ought not to be taken out?—I do not think so. I believe that the sea may be made as healthy as land, and our ships may be as well ventilated as houses, so soon as proper attention is paid to them.

3003. *Chairman.*] Your point, if it was understood correctly, was that a child under one year should have half the space of an adult, instead of being excluded as at present?—Yes.

3004. Mr. *Liddell.*] You say that the mother's milk fails in six weeks?—Yes, and then there is a necessity for the child having a legalised diet on board as the infant's right.

3005. But that legalized diet may prove unwholesome?—On the contrary, the scale must be one suited for infants. You can have tapioca, rice, sago, arrow-root, rusks, milk and cream of excellent quality; and it is not expensive.

3006. Mr. *M. Milnes.*] How not expensive?—Milk is not an expensive article of diet for the sea; you may have it in half-pint canisters; and during the whole time I was in Australia, I never heard of the milk put on board emigrant ships turning bad. The taste is not exactly what you would wish, but children like it.

3007. Mr. *Peel.*] Is that generally included among the medical stores of the ship?—Yes.

3008. It is generally to be found among them?—Yes.

3009. Mr. *Liddell.*] You have given a preference to the London ships over those fitted from Liverpool; state in what respect the London ships are superior to the first-class Liverpool ships?—The great disadvantage at Liverpool is, that they have been conducting the Irish emigration, to which little or no attention has been paid either by the clergy, or by the Members of the House of Commons. It has been a totally neglected emigration. It will be very difficult to enforce speedily at Liverpool so good a system as you have established in London, where those who are emigrating have more money and more friends to aid them.

3010. Would not that objection rather refer, then, to the nature of the people sent out, than to the arrangements made for sending them out?—The shipowners having been accustomed to make a large profit, and to put people in a small space, it is very difficult to make them consider that a large space is necessary.

3011. With regard to space, it has been stated that in the London ships 15 superficial feet are allowed for each adult; are you aware of the space that is given in the first-class Liverpool ships?—I believe now they give the space according to the Act of Parliament, and more space if paid for. Space is now a legalised thing; they must give that quantity.

3012. Have you heard that a space of 15 feet is the uniform rule in the better class of Liverpool ships, instead of 14 feet? I believe 15 feet is now generally given both in London and Liverpool; but I have found it easier, unaided as I was, to carry out emigration in London than in Liverpool. Here I have been a daily worker; in Liverpool I have only been a visitor; and I had not the same personal knowledge, or the same opportunity of knowing the ships so well. Here I know the character of the ships well, and their owners. In Liverpool they work so much with American ships. I prefer English ships.

3013. Have you ever been on board the ship called the "Marco Polo"?—No.

3014. You have stated that in your opinion not more than 300 individuals should be taken out on one voyage?—I think so; 300 is a very safe limit.

3015. Have you ever understood that the "Marco Polo" has taken out to Australia, on a single voyage, not less than 660?—No, I have not.

3016. And upon that occasion, out of that large number, on an Australian voyage, only a single death occured?—I have not heard that; that is an exception. The whole experience of emigration is against such large numbers. From statistics, which you would have no difficulty in obtaining from the Commissioners' office, you will find that the safe emigration is within 300.

3017. Still, if it can be proved by statistical information, that such large numbers have been carried out with perfect safety and comfort in a single ship, with so few casualties and deaths, as far as statistics are concerned, that argument

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ment would not tell against the large number?—No; every emigrant from this country who has come to me has involved me in much responsibility; I have had no pecuniary interest in the transaction; nothing to influence me; and I have found that I could emigrate 300 with greater safety than I could a larger number; but in my estimation it would be hazardous.

3018. *Chairman.*] What space would you recommend; would you recommend an increase on the 15 feet?—We have already given, in the Society's ships, with which I am connected, 12 per cent. more space.

3019. Mr. *M. Milnes.*]—What does that amount to?—To between 17 and 18 feet.

3020. Captain *Scobell.*] How many voyages have you made to and from Australia?—Only one.

3021. You have spoken in your former answers as to the size of the berths, and the sufficiency of the provisions; would you limit that opinion which you have given to the Commissioners' vessels, or do you extend it to all private emigrant vessels?—I extend it to all second-class passengers. The Commissioners have lately improved their scale of dietary very much.

3022. Are you aware that the legal scale of dietary for common passengers on board private emigrant ships is pointed out in the Act of Parliament?—The Act of Parliament is a thing I have very seldom consulted myself. My great aim has always been, not only to get the emigrant safe over the sea, but to have him on landing in good commercial condition, fit for work when he arrives; I have always held that 5 *s.* given in provisions is adding 5 *l.* to the man's value when he arrives. If he is a married man he is much better able to provide for his family. So that I hope, in considering the dietary scale, you will remember that by having a good dietary at sea you avoid a great number of diseases, and will not have the confusion and the disagreeable complaints on landing which you have at present. If the emigrants land in low condition they are always bad-tempered, and easily take any disease. Change of dietary brings on many low complaints, which, if they had landed in good condition, would have been avoided.

3023. That dietary has no meat (*handing the Act of Parliament to the Witness*) in its details; do you think that sufficient?—No.

3024. Do you think meat necessary?—For 20 *l.* a head I would not put men on board with this dietary scale.

3025. Mr. *Peel.*] Have you not understood that this dietary scale was intended as the minimum allowance for the poorest class of Irish emigrants to America?—Yes.

3026. And that an improved dietary is provided by contract for emigrants to Australia?—Yes, I am quite aware of that; but the poorer the emigrant, in my opinion, the greater necessity for a good dietary. If you take a class of people from the poor-houses and put them on board ship, you either have sickness at sea, with this scale of dietary, or sickness when they land. The most prudent plan you can adopt with that class is to feed them well before they start. But they ought to have a much better dietary than this; there is no meat in this scale.

3027. Mr. *Meagher.*] You are quite aware that the appetite is very great at sea sometimes?—Very great; every one's appetite increases at sea.

3028. Therefore protection is more necessary, as that class is so very helpless?—I think there is no protection more needed now than for first-class passengers.

3029. Mr. *M. Milnes.*] State the grounds of that opinion?—As to provisions, the first-class passengers are not so certain of having an abundance as those for whom a certain scale is put on board, and that scale examined.

3030. Mr. *Peel.*] By first-class passengers, do you mean cabin passengers?—Yes.

3031. They are not within the Act at all?—But it is quite necessary they should be.

3032. Do you think that they ought to be brought within the Act?—Yes.

3033. Are they not competent to take care of themselves?—As far as my own experience goes, they are the most helpless class I have had to do with; they know how they ought to be treated, and they have a sort of open confidence that this and that will be done for them.

3034. Are you of opinion that there is any class of vessels, or any class of passengers,

passengers, if only one, now exempt from the provisions of this Act, which ought to be included within it?—It should include every passenger; I would bring the Act to bear if only one passenger went to sea.

3035. Would you extend this Act to every class of passengers?—Certainly, to every class of passengers, so that they should be quite certain, according to the printed scale, that there was the stated dietary on board; I would not involve the Government or the officers in further trouble than one scale of dietary involves, but for the number of passengers on board, according to a scale of dietary in the Act of Parliament; of course they could, by paying for them, have extra comforts, but I think the certainty of a fixed scale ought to exist.

3036. Have you ever known any instance in which the provisions have run short, in consequence of the cabin passengers not being included in calculating the quantity required?—I was myself three weeks and a day on a biscuit and a cup of cold water.

3037. Mr. *M. Milnes.*] Was that owing to defective provisions?—That was in consequence of trusting, and thinking, that particular things would be done.

3038. Mr. *Peel.*] On what voyage was that?—From Australia to this country. I merely refer to it as an illustration.

3039. In what year was it?—About six years ago.

3040. The Passengers' Act was not applicable at that time?—No.

3041. At present the Passengers' Act is applicable to a voyage from the colony to this country?—Yes.

3042. Would you include any class of passenger vessels now exempted from the Act; would you propose to apply this Act to the case of vessels where the number of passengers was below the limit now prescribed?—I would bring the Act to bear if but one passenger was taken. The vessels should either go without passengers, or if they took any passengers they should be subject to all the conditions of the Act.

3043. That would bring a number of ordinary merchant vessels within the provisions of the Act?—I think it is necessary for the protection of life that it should be so; so many persons are taken within the number; one passenger should bring it within the Act.

3044. Mr. *Liddell.*] Is it not the fact that where passengers are taken in vessels which do not come under the operation of the Act, those persons find themselves frequently in vessels that are not seaworthy?—Frequently.

3045. Mr. *Peel.*] Would you extend the Act to mail steam-packets which take passengers?—Yes.

3046. Do you think that passengers by mail steam-packets stand in need of legislative protection?—I think so.

3047. Have you known any instance in which they have required that protection?—I have heard enough and known enough to make me think that it is a very desirable thing to be so protected. It would be a great benefit. It is only bringing it to this point—whether you will depend upon the honour of a person, or whether the law should interfere to protect you. When you are making an Act for the protection of one, it is as well to protect all.

3048. Would not the detention necessary to insure the inspection of a mail packet retard the dispatch of the mails?—The detention that at present takes place is partly owing to not having a sufficient number of officers to do the work; it is not from the time it takes; but if there was a sufficient number of officers there would be no time lost.

3049. *Chairman.*] With regard to the provision for medical attendance, did it appear to you that there was sufficient on board the passenger ships?—I think so, now there is a separate dietary fixed for children. I believe all the complaints that we have had of the provisions and the medical comforts being exhausted, has been owing to everything of a nutritious character being extracted to keep the children alive as long as possible.

3050. Did the supply of medicines appear to be sufficient?—Very good; there are generally some medicines for sale on the arrival of an emigrant ship. It has often struck me that there is one point which would be an advantage, and that is, that the Government officer should make a special report of the state in which the ship leaves this port, both as to the condition of the ship, and the general health of the emigrants, the dietary on board, and the cargo placed in the ship,

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and that there should be a corresponding return from the emigration agent on the other side. Thus, if any casualties occurred, you would soon be able to meet them and to remedy them.

3051. Mr. *Peel.*] Is it not the case in Australia that a report is made on every emigrant vessel that arrives?—Yes, I believe they go on board, and if there are no complaints there is no report, beyond the arrival this morning of a vessel with a certain number of emigrants, and they are all well. It would be very interesting if, in addition, there was a report of the condition of the ship on arriving in the colony.

3052. *Chairman.*] That there should be a report from the medical officer who sees the ship in port?—The Government inspector.

3053. The medical officer?—The Government emigration agent and the medical officer act together.

3054. Then at the port of arrival there should be a similar report?—Yes, and the state in which she arrived; giving the supplies and the quality of provisions and medical stores remaining in the ship.

3055. In all cases?—In all cases, no matter whether there is complaint or not.

3056. As to the hospital accommodation on board; did it appear to you that the space allotted for the hospital accommodation was sufficient, and that the provision for the accommodation of sick persons was good; eight is the largest number of beds, but four is the more usual number?—I think that it would be desirable, in addition to the beds, to have a few extra bed-cases put on board. I think that, if the hospital was put in the better part of the ship, at the stern, for instance, it would be very desirable, and there would be less danger of infection.

3057. Mr. *Liddell.*] Would you recommend the hospital to be below or on deck?—If it is a ship full of emigrants, on deck in the poop cabin. I can give you one instance with reference to the poop cabin; when you have to do with second-class female emigrants, who pay their own passages, if they are near their confinement, and obliged to go to the hospital, I have noticed this difference in them, that when they had the hospital in the poop cabin, those females were able to go about in a fortnight quite well, but when confined in the forward cabin or hospital below, they would remain for three weeks or a month, and be on hospital comforts as long as they were in the ship.

3058. *Chairman.*] Have you seen the effect of placing the hospital in the steerage, or more aft the main mast?—Yes; I think where I suggest is the best place.

3059. Mr. *Liddell.*] Is there not this additional reason, that in case of infectious diseases breaking out on board, there is much less chance of infection when the hospital is above deck than when it is below?—If you have it in the stern, infection goes off at once; but if you have it forward, it passes among the passengers.

3060. Mr. *M. Milnes.*] Is there any difficulty in preventing the emigrants availing themselves of medical comforts when they have no necessity for them?—There is very little chance of that; it depends entirely upon the surgeon.

3061. *Chairman.*] Have any of the ships which you have sailed in, or seen, had those enclosed berths which you recommend?—I have never sent away a ship without enclosed berths; the first enclosed berths for that class of passengers were put up by me.

3062. The question referred to ships sailing under the Emigration Commissioners?—They approach near to that; I know that they have had curtains since I commenced; they are now adopting a system which is a great improvement upon the old one.

3063. In the London ships there is more care to that effect than in ships from other ports?—That is owing in a great degree to the emigrants; there are always a great number of respectable mechanics on board; nothing has prevented the emigration of the respectable poor so much as not having proper separation on board, and having their families berthed in a respectable manner.

3064. Mr. *Peel.*] Have you any objection to the openness of the passenger trade? Would you recommend any system of licensing connected with the persons engaged in the passenger trade, or the vessels employed in it?—I think nothing would afford greater protection to emigrants, and give less trouble, than a system of licensing. I will suppose that Mr. Green, of Blackwall, who has some of the finest ships in the world, and Gibbs, Bright & Co. of Liverpool,

Liverpool, wish to go into the passenger trade. If they apply for a licence for their ships to be employed in the passenger trade, they should give bonded security to a sufficient amount, so that, in the event of any ill-treatment, or grievous case occurring on board ship, it would be known at once who had the money, and it would be very little concern whether the ship was sold or not; the bondsman would be the security.

3065. Are you aware that in every instance a bond is taken from the master and charterer of a ship?—I am aware of that. I feel that I want something of a more simple character. To-day you heard a gentleman, who has been eighteen years in the service, and he cannot understand the legal responsibility of the present Act; therefore you must make some excuse for me when I tell you, that what I have wanted, and what I know all emigrants want, is something that they can understand, something plain and simple, like the regulations for hackney coaches and omnibuses.

3066. Mr. *Liddell.*] In short, not an Act of Parliament?—We want that to legalise it. There should be two classes of licences, the first and second class. Those which had obtained a first-class licence, it should be known that their ships were ventilated in a superior manner, had scuttles according to a certain size, and port-holes, with every advantage in ventilation which could be brought to bear on them. The second-class licence should be granted according to the ventilation of the ship.

3067. Would you cancel those licences in the event of any misconduct having taken place on board a ship?—Just the same as you would suspend or take away a licence from a publican.

3068. Is the owner of a ship responsible for the treatment of passengers by the master or surgeon of a vessel?—I am quite certain that if there was a responsibility of that kind, you would very soon have a better class of men as surgeons and masters. I do not think we shall ever have emigration managed properly until there is more responsibility thrown upon them. It is quite easy in England to select men of high character and standing for any service.

3069. Do you speak of the responsibility thrown upon the master, or upon the owner of the ship?—The owner, provided he was licensed.

3070. *Chairman.*] He would have the means of enforcing his orders, and making the master responsible?—Yes, and when he knew he was responsible in a bond for 5,000 *l.* for that servant, he would select a much better man than he now does. I have known frequently the decision regarding the surgeon to depend on this, that one surgeon would take three passengers to a ship who could pay so much, and the other could only take two; the man who had the three was selected.

3071. Mr. *Peel.*] What control has the owner of a ship in the selection of a surgeon for any particular voyage; is it not within the province of the charterer of a vessel, or the owner, to determine who shall be the master of the vessel, and who the surgeon of the vessel?—My own opinion is, that if a licensing system were adopted, and they were not allowed to take one passenger without coming under the Act, almost every house of business would have a regular corps of surgeons connected with their own line of ships; but at present it is looked on as an engagement for the voyage only.

3072. Then would you propose that vessels should be exclusively employed in the passenger trade?—No; only that those who did occupy their ships as passenger ships should do so under certain important regulations, which the poorest person in this country could understand.

3073. Mr. *Liddell.*] There is no doubt that almost all the respectable houses and principal firms engaged in the passenger trade would have little hesitation or difficulty in complying with regulations of that kind?—I think the more responsibility you can throw upon the respectable firms the better pleased they would be; really respectable ship-owners do not mind being bound.

3074. Do you consider that it is the inferior class of owners who would object to these restrictions and regulations?—Yes.

3075. Mr. *Peel.*] Is not the bond now taken from the master of the vessel sufficient for the protection of the passengers?—£. 1,000 is not sufficient. I have been twice offered a larger sum than that to give up a contract I had made. I do not think that 1,000 *l.* is a sufficient bond.

3076. Do you not think that a bond entered into on the occasion of every voyage is better than a permanent bond entered into by the owner of

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the ship which makes him responsible for the treatment of emigrants on board his ship, into whosoever's hands it may come?—It is his duty to see that his ships went only into the hands of proper persons. The agents of a house, or a landlord (those who value their property), are always careful in selecting good tenants.

3077. But, upon the whole, it is only apparently in matters of comparative subordination and detail that you think the present Act requires improvement?—Yes.

3078. Has your attention ever been called to intercolonial voyages in Australia?—I have taken many short voyages there with emigrants.

3079. Have any complaints been made of the insufficiency of the powers of the local Legislature in the case of voyages from one colony to another?—I never recollect but one case. I do not recollect anything of consequence.

3080. You do not think there is any necessity for Imperial legislation in the case of those voyages?—No; the voyage is very short, and the people there know so well the character of the ships, and the owners, that it is not easy to make a mistake.

3081. Is it not the case that many American vessels are employed in the passenger trade between Melbourne and Sydney?—That is since I left. There is one very important point I am anxious to direct your attention to, and that is, that its registered character at Lloyd's should be painted on every ship. Every ship is registered according to her character; some ships have no character, and never had any when they were built.

3082. Do you not consider that the examination of the ship by the surveyor as to the fitness of the vessel to take emigrants is sufficient?—I should have something of a more general character. I would have the character of every ship, with the number of passengers she is licensed to carry. I think it would prevent a great deal of misery.

3083. Captain *Scobell.*] On what part of the ship should you paint that?—On some conspicuous part, and those owners who had ships classed A 1 would be glad of sticking it up.

3084. It might be painted on the external part of the ship?—I have brought with me to-day, merely to call your attention to it, what has attracted a great deal of notice, this Wreck Chart. Observe how it is studded with wrecks; it is something of a very frightful character.

3085. Wrecks of all kinds of vessels?—Yes; but if you examine those wrecks by this book (*referring to Lloyd's Register*), you will be astonished at the small number of good ships lost.

3086. You have made the comparison?—As far as I could. I wish to bring it to your attention that you may put it into more competent hands.

3087. Will you state the result of your examination with regard to the loss of good ships as compared with bad ones?—I have not gone into it sufficiently. So far as my own investigation has gone, I think our own coast is very much scandalised, and I should be very glad to have the character of the Channel cleared up, for a great number of these losses ought not to have taken place; the ships ought never to have been there. Here is a column of 14 wrecks—"no character;" "no character;" "no character;" "very old;" "no character;" "not classed;" one ship, "first class;" another ship, "eighteen years old;" she is "not classed;" the next, "no character;" the following two, "not classed."

3088. From what are you reading?—The Admiralty Wreck Chart, 1853.

3089. Mr. *Peel.*] Does that refer to the wrecks of vessels?—Yes, and all the wrecks are marked on this chart to show the particular spots on which the ships were lost.

3090. That refers to merchant vessels as well as emigrant ships?—Yes.

3091. Have you seen a Parliamentary return, presented about two years ago, showing the number of wrecks of emigrant vessels for the five years ending with December 1851?—In the Australian trade?

3092. No, the general emigration trade?—No.

3093. Does it not appear surprising to you that of 7,129 vessels which left this country in the course of those five years, only 44 were wrecked?—No; for all those ships were brought under Government inspection.

3094. I am speaking of emigrant vessels to all parts of the world?—Those were all under Government inspection; but large numbers of the registered wrecks have never known an inspector; I merely wish to draw attention to it.

3095. Does not that Parliamentary return show that the vessels employed in the passenger trade are generally of a seaworthy character?—Yes, they are very good.

3096. Mr. *Meagher.*] That does not apply to vessels which are not under the Passenger Act, and still have passengers on board?—No.

3097. Mr. *Peel.*] Is it not the fact, that the number of vessels having emigrants on board, and not coming within the Act, is very limited?—I think there are a great number. I cannot help most earnestly requesting you to consider the great protection to human life by having the character of the ship painted on its side. I feel quite certain that some of our most valuable sailors would be saved if that were adopted, and I implore of you to consider this suggestion.

3098. Mr. *Liddell.*] That would be an excellent suggestion; but do you not perceive great difficulty in carrying it out effectually? Are you not aware that some firms, who have a remarkably fine class of vessels, do not enter their ships at Lloyd's at all?—Yes, there are a few who do not, but that sort of obstinacy is every day giving way; as people are getting more intelligent, and acquainted with the protection which that book affords them, the obstinate people are yielding. I can mention many thousands of tons which are now entered at Lloyd's which were not formerly; in fact, it is a great protection to the public. They are merely entered there to enable people to borrow money upon them. It is a great protection to capitalists, and the same protection might be brought to bear on the labouring classes who are emigrating.

3099. All foreign vessels which are employed in the passenger trade, and on board of which a great number of emigrants take their passage, must necessarily be exceptional cases, because they could not be compelled to paint up the character of their vessels?—No, they could not; but when it is found to pay they will very soon adopt the plan; you have only to start what is good, and you may be quite certain that the plan will be followed out.

3100. *Chairman.*] Foreign vessels are subject to several of our regulations, so that there can be no hardship in it?—Yes; and foreign vessels which have been employed in it are rather fond of the passenger trade.

3101. Mr. *Peel.*] Do you not think that, as a general rule, sound vessels are employed in the passenger trade?—There are a great number I should not like to go in, or to put any one in.

3102. Does not the return I refer to establish the general safety of the vessels?—There are a great many persons emigrate who do not emigrate in vessels which are inspected by the emigration agents. They take a small number, and are not brought within the Act. They should all be brought within the Act, if they take but one passenger. That is the great point I am anxious upon.

3103. Captain *Scobell.*] You think that class of vessels not within the Act, yet having passengers, if investigated, would be found to be very numerous?—Yes; I would allow two classes of licences, first and second. There are some ships which are so weak that they could not stand scuttles. They are just the same as some houses, in which if you made an additional window, you would have the house down. Those ships which are not sufficiently strong to have scuttles should not have a first class licence.

3104. You have been in the way of hearing a great many opinions from nautical men; have not those opinions generally been in favour of the recommendations which you are now making?—I have not consulted with any person on those points. It has merely been the result of my own experience for the necessity of greater protection.

3105. Mr. *Peel.*] Are you aware that no emigrant vessel can put to sea without a minute survey by a Government officer?—Yes; I am anxious that that minute survey should be extended to every ship that takes a passenger, and that the character of the ship, with the number of emigrants to be carried, should be painted up.

3106. You would not recommend that your licensing system should supersede the particular survey in each case?—No; I always have a survey.

3107. Captain *Scobell.*] Are you aware that, almost invariably, all emigrant vessels are insured?—Yes.

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3108. And you have said that some of them have no scuttles, and in their arrangements are very indifferently and negligently found?—Yes.

3109. Do you attribute that consequence at all to the facility of insuring up to the value, and the comparative indifference to the safety of the vessel?—I have very frequently thought that I should prefer going to sea in a ship not insured. Sometimes they are insured rather higher than I like; but a great number of the ships that have been lost are such as could get no insurance at all.

3110. You said that you were desirous of having reports of the ship by certain officers before she sailed, and reports by certain officers at the end of the voyage on arrival, of the casualties?—Yes.

3111. Should you carry out that, by suggesting that those reports, both at the beginning of the voyage and at the end, should come to one responsible person, who might compare them?—Yes; to the Emigration Commissioners.

3112. At present, I believe, they are not compared?—There is no special report, except there is a complaint. I want reports on all ships. If you report here the character of a ship, you know the cargo, and the state of health. A remark may have been made with regard to the captain and the surgeon, whether they were steady men or not. There is no official return of the state in which she left. So that if anything occurs during the voyage, or if the cargo was not a healthy cargo, or if there was disease, in a short time we should have great improvements carried out through that system. In the Commissioners you have the machinery, because the Commissioners are at the head of all emigration.

3113. You mean all vessels; not only those chartered by the Commissioners, but all emigrant vessels?—On all passenger vessels there should be a report; it is a thing that will not involve much trouble, but will be a protection.

3114. *Chairman.*] Now, about the disinfecting fluids; did it appear that there was a good supply on board the ships you have sailed in; were the fluids used sufficiently?—I think they are always used; I do not consider the supply of brushes sufficient. One thing of greater consequence than that is, that attention should be paid to ventilation and cleanliness; for instance, in a ship with 300 or 600 persons, if they have no convenience for washing their hands, which they have not, or if there are no wash-houses and bath-places where they can go to, it is impossible for them to be in a state of cleanliness. So that before emigrants are considered and classed as a filthy set, and the blame is all put on pauperism, it should not be so, but on the neglect of those who do not provide the emigrants with proper accommodation.

3115. Is there any suggestion you would wish to make before you leave?—I am anxious that the decks of a ship should be cleaned, and that the provisions should be cooked and placed on the table, at the expense of the owners of the vessel, or that they should find the parties to do it. They could always make an arrangement with the passengers; but they should be responsible for that, because the health and comfort of the ship depends so much on that. I think, probably, 5 *l.* expended in that way would be an immense saving of many valuable lives. There is an accumulation of filth when there is a great number of children on board, which it is impossible to avoid.

3116. Is there a sufficient number of passenger stewards appointed?—There is no person yet provided by the Act for the duty I am speaking of; so that there is a great rush when it comes to provision time, and there is a disturbance, whereas if two men were appointed to this duty, they could carry all this out quietly.

3117. The Act provides that there shall be a passengers' steward and cook?—That is not sufficient.

3118. Mr. *Meagher.*] Do you think it desirable that one steward should be appointed to see to the cleanliness and ventilation?—The ventilation must be built in the ship, but the steward should attend to that.

3119. Captain *Scobell.*] The 23d section of the Act requires that there shall be a ventilating apparatus; have you usually found that in the vessels?—I have always had one.

3120. In other vessels?—No; they are improving ventilation very much now; having large shafts or chimneys at each end of the vessel, since this Act was brought to bear.

3121. Are there two stewardesses and nurses?—There is seldom any difficulty in getting persons in the ship to act as such.

3122. How

3122. How are the emigrants disposed of immediately on their arrival; is there any improvement that you can suggest in the arrangements in Australia on landing?—The last account I heard from Australia was, that as the ship got into harbour, nearly all the boats there were employed by parties anxious to engage the emigrants; there is a Government home, besides Wesleyan and Baptist homes; I think there are now seven small emigrant homes.

3123. Do you think the three quarts of water enough?—I think it is sufficient if it is fully given, and if the casks are good. I have known emigrant ships to arrive, where there has been good and careful management, with a very good supply of water on board.

3124. *Chairman.*] Have you known the water to be generally good, where the water was kept in casks?—The inspection is now rather rigid. I think the casks are generally good.

3125. Captain *Scobell.*] Do the three quarts of water include water for washing?—It is supposed that, at sea, they wash in salt water; the fresh water is merely for cooking and drinking.

3126. If I have rightly considered the principle of your evidence, it is this: that you would prefer a healthy arrangement for emigration, although emigration might have some check on it, to a hasty and badly-arranged emigration, which would merely get out certain numbers without so strictly attending to their health?—I think so; and I think this time is very favourable for carrying out any improvements, because the landlords and manufacturers now are not anxious to get away the people, and they will be pleased at anything that increases the expense of their leaving; so that I think any improvements that could be suggested could be carried out with great ease at the present time. There is nothing checks emigration so much as mortality and misery at sea.

3127. Mr. *M. Milnes.*] How do you, in your ships, provide for the cooking of the passengers' food?—Very great improvements could still be made in the cooking apparatus, although by the late Act there have been great improvements in that department.

3128. You have heard a witness state to-day that it was almost impossible to cook the separate messes of so many?—He was referring to the American passengers.

3129. He said it was almost impossible to cook so many separate messes?—There is but one way; they have generally two dinner hours; they put all the provisions required for half the emigrants into the boilers at one time. That is generally got through pretty well. I do not think there is much to complain of in that respect. There is no injury to health arising from bad cooking in Australian emigration.

3130. Do you think that, with fair arrangements, cooked provisions can be given to large numbers of emigrants at once?—There is nothing to prevent it. You may send up a dinner for 300 people at sea, with as much comfort and order as you could in a house, provided you have a good cooking apparatus and proper persons to do it.

3131. Captain *Scobell.*] Are you aware that it is the fact in a man-of-war, 900 men can be provided for simultaneously, when they what they call "pipe the dinner"?—Yes.

3132. The meat is severed before it is boiled, and the measures are prepared, and by a very short operation those 900 persons have all got their dinner on the table in the course of ten minutes?—But then emigrants are very different; they are of a more helpless class. In the one case you have young men in the prime of life, whereas among the emigrants there are many old and helpless.

3133. One of ten goes to fetch the provisions for the others?—I would merely have it put on the table. That would prevent the emigrants from having any right to go near the cooking room, and prevent the serious confusion that now takes place. It might be dropped down in a bucket; but it should be put between decks for them. I have one more suggestion to make; considering that Australian emigration cannot now be stopped, and as it will be carried on by the working people themselves, I think it would be of great advantage to the emigration service if, amongst the emigration agents that are employed at the different ports, there was one superintending inspector, whose duty it should be to go from port to port. In that manner we should have the systems harmonizing at the different ports, and then we should not have to say that they went away from one port in better condition than from another. Young officers would

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then be properly instructed. I have never recommended any one for public service yet, but I do not think there is a person more fitted for such an office than Captain Lean, of the port of London. But he being a naval officer, perhaps, there would be some difficulty. When naval officers are concerned, there is always so much thought with regard to rank; but I think it would give a great stimulus if they felt that there was one step between them and Park-street to be gained. The only other remark that I have to make is, to state that, considering the work they have to do, they are miserably paid; they are not paid sufficiently.

3134. The emigration officers?—The emigration officers are not paid sufficiently; they have not the means of having a conveyance to go in from dock to dock. When you have to arrange for 200 or 300 people, you require to go with a cool and quiet mind, and with some composure; and if a man has been hurrying and walking from one dock to another, he goes to his work fatigued in mind and body.

3135. Do you include in your observations about insufficient payment any but the head emigration officers?—The whole of the officers; they are very honest men, I believe.

3136. Do you know what the pay is?—£. 400 a year in London and Liverpool only; the head officer has something more than that, but it is not sufficient to meet the expense of going about the docks. There should be a separate allowance for that. I always felt, in asking any trifling extra service, that I was taxing a man's pocket, although he was a Government officer, by asking him if he would go and do a thing for me.

3137. Mr. *Meagher.*] You are aware that in some of the emigrant ships which have gone from time to time from this country, there have prevailed great disorders on board, and that there has been no observance of proper moral discipline; have you any suggestions to make with regard to a remedy for that?—No, I have not; there are great difficulties attending that; you could not appoint a teacher who would suit everybody; it is one of those things which can now be left to different societies, at different ports, who are exerting themselves, who give a certain allowance for a schoolmaster for the instruction of children, and a matron to take charge of the single females.

3138. Do you consider that the evil arising from that source would be greatly diminished by a smaller number of passengers than a greater number?—Yes, I think the safe side is within 300.

3139. Mr. *Liddell.*] Is there any form whatever of general religious worship observed on board these ships?—They generally have prayers according to the Church of England on Sunday, when those of different faiths, by courtesy at present, generally assemble in another part of the vessel.

3140. But religious worship is generally performed on the Sabbath?—Yes; once a week.

3141. *Chairman.*] There is no obstacle thrown in the way of persons of different communions?—None whatever; I never knew but one case, and that was a very serious one, which I brought to the notice of the Sidney Government, and the captain and surgeon of the ship got six months' imprisonment. The unfortunate girl died; she was a member of the Church of England, and those on board were of a different religion. The surgeon was of the kirk of Scotland, and I do not know whether the captain had any religion. She was very much persecuted. She objected to join in any prayers except according to the form of the Church of England, and as they did not read the service of the Church of England, she used to pray alone. This, in a short time, made her the butt of the ship, in which the surgeon joined, and the persecution went so far that she had water thrown over her in large quantities. She came to me in a very bad state of health, and when I brought it to the notice of the Government, the only remark they made was, that it was a case which called for inquiry, and the Board assembled; there was a public trial, a public sentence, and the offenders each got six months' imprisonment.

3142. Mr. *M. Milnes.*] Have you ever found any objection made to a Roman Catholic priest or chaplain being on board?—No, I never heard of that; I lately heard of the captain of a passenger-ship (Captain Underwood, of the "Barrackpore") giving up his own cabin for the service of the passengers, they being the smaller number.

3143. *Chairman.*] That does not require any further regulation?—No, I think not.

Captain

Captain *Schomberg*, R. N., called in; and Examined.

Capt. *Schomberg*, R. N.

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3144. Mr. *Liddell.*] WILL you state to the Committee what your office is?—I am the Emigration Officer at the Port of Liverpool, and a Captain in the Royal Navy.

3145. What staff have you under you?—I have six assistants.

3146. Are they naval officers?—They are all naval officers except one, who is appointed to superintend the stowage of the cargo.

3147. Captain *Scobell.*] A stevedore?—No, he is a gentleman; I do not know that a stevedore is not a gentleman, but this is the captain of a merchantman selected for the particular duty; besides those I have two surveyors, three surgeons, a clerk, an office porter; and, at Birkenhead, for the purpose of the depôt, one superintendent and one clerk.

3148. How many stevedores?—Only one.

3149. *Chairman.*] That is a recent appointment?—Yes, that is a recent appointment.

3150. Mr. *Liddell.*] Do you find that staff sufficient to perform the duties of that extensive port?—Yes, up to this time in a very satisfactory manner.

3151. Now, with regard to the powers which you have under the Act of inspecting the emigrant vessels, are there not a certain class of vessels now sailing from Liverpool, and carrying passengers, who pass no inspection?—Yes.

3152. Describe what those vessels are?—They are vessels carrying cargo to different parts of the world, permitted by law to carry four passengers to every 100 tons.

3153. What is the maximum number of passengers whom you have ever known conveyed in one of those vessels?—It varies according to the tonnage. The "Sovereign of the Seas" took 60, and a recent ship, built in the United States, would take over 100.

3154. Have you ever known more than 125 taken in one of those vessels?—I think not.

3155. Now these ships, such as you have described, are not by law subject to any inspection whatever?—Yes; they are subject to clauses of the Act, 9, 13, 14, 44, 45, and 52, which relate to detention, space, provisions, and list of passengers.

3156. Mr. *Peel.*] Can you give the number of emigrants who left Liverpool last year?—Yes, I can give a return showing the number of passengers who left Liverpool during the year 1853.

3157. Will you read that return?—Yes.

EMIGRATION from the Port of *Liverpool*, Year 1853.

| MONTHS. | Cabin. | English. | Scotch. | Irish. | Other Countries. | Total. | By short Ships. |
|---|---|---|---|---|---|---|---|
| January | 31 | 1,344 | 340 | 4,153 | 112 | 5,980 | 864 |
| February | 92 | 2,237 | 694 | 10,025 | 274 | 13,322 | 1,110 |
| March | 417 | 5,128 | 1,549 | 12,297 | 1,758 | 21,149 | 868 |
| April | 212 | 4,318 | 321 | 20,003 | 3,081 | 27,935 | 1,128 |
| May | 251 | 3,519 | 950 | 16,649 | 2,833 | 24,202 | 1,001 |
| June | 144 | 1,561 | 520 | 13,906 | 2,617 | 18,748 | 1,627 |
| July | 512 | 2,252 | 490 | 12,396 | 2,041 | 17,691 | 1,114 |
| August | 512 | 2,206 | 624 | 14,122 | 1,130 | 18,594 | 1,744 |
| September | 283 | 2,225 | 269 | 17,227 | 2,508 | 22,512 | 1,945 |
| October | 266 | 1,880 | 635 | 12,413 | 2,278 | 17,472 | 1,066 |
| November | 113 | 1,684 | 628 | 9,313 | 1,225 | 12,963 | 1,766 |
| December | 91 | 595 | 395 | 1,606 | 480 | 3,157 | 1,514 |
| TOTAL | 2,924 | 28,939 | 7,415 | 144,110 | 20,337 | 200,801 | 15,747 |

| | | | |
|---|---|---|---|
| Ships | 947 | Cabin | 2,924 |
| | | English | 28,939 |
| | | Scotch | 7,415 |
| Tonnage | 844,058 | Irish | 144,110 |
| | | Other Countries | 20,337 |
| Crews | 32,045 | By short Ships | 15,747 |
| | | TOTAL | 219,472 |

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3158. Mr. *Meagher.*] What is the number of short ships?—I cannot give the number of short ships; the number of passengers who went by short ships is stated in that Return.

3159. Mr. *Liddell.*] Why are they called "short ships"?—They are called "short ships" because they take a short number of passengers.

3160. Mr. *Peel.*] Does that include the passengers by mail steam-packets?—No, certainly not; it would include all vessels which have come under the inspection of the office; the only steamers which come under the inspection of the office are the Philadelphia steamers, and such as may go from time to time to Melbourne.

3161. Mr. *Liddell.*] With regard to these "short vessels," does any inspection take place as to their seaworthiness?—No.

3162. Is there any examination as to the quantity or quality of their provisions?—If the provisions were found fault with they would be got up, or if they were supposed to be short, and they are frequently examined by the wish of the ship-owners, but they are not forced to have them examined.

3163. Is there any examination as to the passenger accommodation?—Yes.

3164. Mr. *Meagher.*] Do you mean that the examination is compulsory?—Yes, their space is looked to, to see that they have it, and ventilation.

3165. That applies to vessels allowed to carry four passengers to the 100 tons?—Yes.

3166. Those are sailing vessels?—Yes.

3167. Does it include screw vessels?—They carry more; they carry one to every 10 tons.

3168. Mr. *Liddell.*] Do you consider that these exceptional cases of short vessels should be allowed to continue?—I consider it highly objectionable.

3169. Would you advise that the law should be so altered in this respect that no vessels should be allowed to carry passengers at all, unless they comply with the regulations of the Passengers' Act?—I think it would be a great improvement.

3170. Mr. *Peel.*] Do you apply that to mail steam-packets?—No, certainly not.

3171. Why not?—The detentions would be so great, the inspection is so minute, that I think it would be highly objectionable; they would never sail to their time. In a recent case last week, I was directed by the Colonial Land and Emigration Commissioners to summon the captain of the "Sarah Sands," who has sailed repeatedly from Liverpool without sending in a list according to the 13th section. I accordingly obeyed my orders; the case was taken before the magistrates, and although she carried a letter-bag, the Commissioners were of a decided opinion that it was not a Royal mail. The magistrates decided that it was a Royal mail, and the steamer is still allowed to proceed upon her voyage without inspection.

3172. By whom was that opinion given?—By the stipendiary magistrate at Liverpool.

3173. Which was the section?—The 4th section; the reasons given by the legal adviser were, that the inspection was of such a nature that the ship would never be able to sail to her time.

3174. Do you think it advisable that any steam-vessel should be exempted from the Act by simply procuring a letter-bag to be put on board of it?—Decidedly not.

3175. What is your opinion with regard to the intention of this clause; was it so intended, do you think?—Never.

3176. Is it desirable that vessels under contract with the Government, for the carriage of mails, should be exempted?—Yes.

3177. *Chairman.*] On what grounds?—I think so, from the inspection they undergo by the Government mail establishment, and their being extremely well found.

3178. The tenor of your evidence appears to be, as yet, that the passenger ships which are now excluded from the operation of the Act ought to be brought under it. You say it is desirable to extend the operation of the Passengers Act, and that you would extend it to steamers which only carry a bag of letters, but you would not extend it to steamers under a mail contract; and your reason for not extending it to them is, that it would delay them; could not delay be avoided, by making it incumbent upon them to have their passengers on board previously to the time at which the mails were to come on board?—

board?—Mail steamers carry very few steerage passengers. The contract steamers, which carry a letter-bag, carry a great many steerage passengers, and the letter-bag is the cover to get off the inspection.

3179. Putting aside altogether for a moment the question of delay to the mail, because it might be arranged otherwise, do you not think it desirable that that class of steamers, namely, the contract mail steamers, should be inspected?—I do not.

3180. Mr. *Peel.*] When you speak of contract vessels, do you mean steam vessels under permanent contract, or special contract with the Government?—I mean permanent contract with the Government, such as Mr. Cunard's steamers.

3181. Would you extend it to steam vessels, such as those which were taken up last year by the Postmaster-general for a particular voyage to Australia with mails on board; you are aware that the Government last year made a special contract with a vessel for the carriage of a mail for a single voyage; would you exempt those vessels as well as vessels under permanent contract?—No; if they carried beyond the limit of steerage passengers, all vessels going to Australia should be passenger ships, although they carried a mail.

3182. You say you would not allow an exemption in the case of vessels only having a letter-bag on board, which any vessel can obtain by applying for; where would you draw the line?—I would certainly not allow the exemption in such a case.

3183. But you would allow an exemption in the case of vessels under a regular and permanent contract with the Government?—Yes.

3184. Would you allow an exemption to such vessels as those which were employed last year in taking the mail to Australia which tendered for a particular voyage?—Certainly not.

3185. Why not?—Because I think their legal trade is passengers, and the mail is an exception.

3186. You mean in the case of those particular vessels which have been referred to?—Yes.

3187. Did any of those vessels sail from Liverpool?—I know of none; I think the "Great Britain" took the mail before I held the post.

3188. They were principally sailing vessels which took the mail last year?—Yes; I think it would open the door for any sailing vessels carrying a bag not to be inspected.

3189. Captain *Scobell.*] Would it not induce them to seek for letter-bags, and take them for almost nothing, to avoid inspection?—Yes.

3190. Mr. *Peel.*] Is not a sailing vessel, if it carries a mail, exempted?—No.

3191. Must it be a steam vessel?—It must be a steam vessel. We never have exempted any sailing vessel carrying passengers, which carried a mail.

3192. The 4th section only exempts steam vessels?—They are the only vessels carrying mails from Liverpool which have not come under the Act; they have only carried cabin passengers, and are not adapted for carrying steerage passengers generally.

3193. Mr. *Liddell.*] How many years have you been Government inspector of the port of Liverpool?—Since January 1853; I was at Dublin previously from 1852.

3194. Is a gradual improvement going on in the case of ships employed in the emigration trade?—In my opinion, very great indeed in Liverpool; I think I may say, without arrogance, that they are the finest, or as fine, as any ships in the world.

3195. Mr. *Peel.*] Do you invariably require the single men to be berthed separately from the rest of the passengers?—Yes, invariably; a bulk head is invariably put up to separate the single men from the married people.

3196. How do you account for the statement of the quarantine officer at Quebec, in which he represented that they were all berthed together?—I imagine that the bulkheads are either removed after the ship gets to sea, or after the arrival.

3197. Do you recollect the case of the "Fingal"?—I did not inspect in the case of the "Fingal," but I will refer to the officer who did, and give the Committee every information on the subject.

3198. Are the bulkheads carried up?—They are generally louvred bulkheads open worked for ventilation.

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3199. Mr. *Peel.*] If they had been removed in the manner you suppose, do you think that the emigration officer at Quebec would have ordered some prosecution to be instituted for a breach of the Passengers' Act?—I should think so; in two cases that have come before me in return voyages since I held the post at Liverpool, one ship was the "Isaac Wright," where the separation had been removed; from that and other misconduct on the part of the captain, I felt it my duty to give him the option of a prosecution, or a very heavy fine. The passengers made several complaints that they were kept at the pumps, and I considered that two guineas a-head for compensation, with a return of the passage money, was a fair compensation. The captain preferred paying this sum of money, therefore I did not prosecute him.

3200. *Chairman.*] With regard to these bulkheads where they are louvred, or where there is open work: is it open work so that the parties can easily see each other, or is it above their heads?—It is open enough to look through, certainly, if they had the desire so to do, which I think is the intention for the air to pass through.

3201. They might be above the ordinary height, if the vessel is six feet between decks; is the open work the whole height of the six feet?—Yes.

3202. Captain *Scobell.*] Who is generally in the adjoining space?—Married people; and the single females are generally berthed aft.

3203. Are there ever females adjoining this bulkhead which is louvred?—Yes.

3204. Mr. *Peel.*] Is the bulkhead louvred the whole length of it?—Yes, in some cases.

3205. Captain *Scobell.*] The effect of that would be, that these unmarried men would view the married women dressing or undressing, and see what is going on?—Yes.

3206. Do not you think that is highly objectionable?—Yes, I think it is objectionable, but I think it would be more objectionable to put up a solid bulkhead.

3207. Could it not be so arranged for these women not to be in the sight of these unmarried men?—No doubt a stronger and stiffer bulkhead could be erected, but this has been done with the pure intention of ventilation.

3208. There is still use given to the eyes, but they cannot get at each other; that is the amount of the separation?—Yes, I think it is quite possible to see through the general bulkhead; not so in the Government ships.

3209. Mr. *Peel.*] Are you equally careful in seeing the Act enforced in foreign as in English vessels?—Yes.

3210. Although the vessels you clear are destined to foreign ports?—Yes, the same.

3211. Do you believe, after the vessel gets to sea, that any attention is paid to the provisions of the law by the captain?—I am much afraid those bulkheads are taken away and many parts of the Act not acted on by some; by others I think great attention is paid. I think I can present a return to this Committee which will show that some attention is paid to the number of people. From the months of the 1st of July to the 31st of December 1853 a sickness prevailed in some of the American ships.

3212. Going to the United States?—Yes.

3213. Captain *Scobell.*] Before sailing?—No, not before sailing; on the voyage 62,535 souls were taken out, and 1,332 people died; 2·11 per cent.

3214. Mr. *Peel.*] Have you any reason to believe that return to be correct?—I have reason to believe it is correct; it was taken with great pains by the medical inspector, Dr. John Lancaster. He got it from the brokers of Liverpool at their respective houses.

3215. *Chairman.*] That return comes, then, from parties connected with the ships themselves?—Yes.

3216. We have it here from a former witness's recommendation, in which, I believe, the majority of the Committee, or the whole Committee, seemed to concur, that there should be a negotiation opened with the American Government to have some official concert between the authorities at each side, to secure the perfect fidelity of these returns?—The only mode of ensuring anything like a good result in emigration would be to have the ship inspected on opposite sides, and a return made of faults; also, how the duties have been performed; and I should much urge a better payment or remuneration to the surgeon. I think, then,

then, it would be an inducement for a better medical man to take the field instead of a man who now goes for some 20 *l.* or so. I think, then, greater improvements in discipline would take place, and that the Queen's Order in Council, than which, in my opinion, nothing can exceed in goodness if carried out for health and cleanliness, would probably be fulfilled.

3217. Mr. *Peel.*] What Order in Council do you refer to?—It is posted up in all the ships going to the English colonies with regard to the perfect order of the ship, stating when the people are to get out of bed, and when the decks are to be cleaned, meal hours, &c. They are as perfect as any naval officer could dictate.

3218. Mr. *Liddell.*] Do you agree with Mrs. Chisholm that a special report should be made on that principle by the Government inspector on a ship's departure, and a corresponding report on her arrival at her foreign port?—Most decidedly.

3219. *Chairman.*] We should obtain the same result at a foreign port by negotiation?—Most assuredly.

3220. Mr. *Peel.*] Do you think that the emigration agent, at every port of the United Kingdom, should make a report on every ship before it sails?—No, I do not. I think that it would cause a great deal of correspondence. I do not think that it is necessary, and the reason it is not necessary is, that the clearing officer can withhold the clearance until the ship is ready. It is a sufficient proof that, in his opinion, he thinks she is ready, or he would not grant the clearance.

3221. Mr. *Meagher.*] Do you keep a record of every vessel?—Yes.

3222. So that you could at any time make a return of the vessels you have inspected?—Yes; I will also put before the Committee the recent regulations we have had with regard to ships' stowage.

3223. Captain *Scobell.*] What objection could there be to having a report of the state of the vessel, the number of passengers, and the arrangements made for health by ventilation and bulkheads, so that when the report came from the other end of the voyage they might be compared by some responsible authority?—There could be no objection to that if it is wished to be done.

3224. Would it not be desirable that there should be a report at the beginning as well as at the end, that a comparison might be made of any change on the voyage, or loss of life on the voyage, or any other circumstance worth noticing? Mrs. Chisholm recommended that the report should be as rigid at the beginning of the voyage as at the end, so that the two reports might be compared to see the different state of the vessel at the end and at the beginning; do you see any objection to that?—None.

3225. Mr. *Meagher.*] Taking the case of the "Fingal," we have had other evidence besides the evidence of to-day, that that vessel had no such bulkhead at all as required by the 19th section; would it not be desirable to have the report of the officer, in order to see whether that was correct or not?—Most assuredly; and such a report could be got now.

3226. Mr. *Peel.*] But in the case of reports in foreign countries, it would be advisable that your report made here, before the vessel sails, should be transmitted to the authorities of the foreign country, in order that they might compare with it the return made on the arrival of the ship?—Yes, that could be easily carried out.

3227. If they were disposed honestly to execute the law?—Yes.

3228. *Chairman.*] You have brought with you some specimens of the biscuit?—Yes, those are a few common samples that I took from the last two ships I inspected.

3229. Mr. *Liddell.*] As we are on the subject of biscuits, have you in your possession the dietary scale which is in practice in some of the best Liverpool ships?—I have the dietary scale of one of the houses, Messrs. Baines.

3230. Perhaps you will read that?—Yes.

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DIETARY SCALE for each Adult Passenger per Week.

| ARTICLES. | SECOND CABIN. | INTERMEDIATE CABIN. | THIRD CABIN. |
|---|---|---|---|
| Biscuits | 3½ lbs. | 3½ lbs. | 3½ lbs. |
| Beef | 1 „ | ¾ „ | 1¼ „ |
| Pork | ¾ „ | 1⅛ „ | ¾ „ |
| Preserved Meats and Soups | 2 „ | 1 „ | ½ „ |
| Flour | 3 „ | 2½ „ | 2 „ |
| Peas | 8 oz. | 12 oz. | ¾ pint. |
| Rice | 1 lb. | 8 „ | 8 oz. |
| Potatoes, preserved | 16 oz. | 8 „ | 4 „ |
| Oatmeal | 1 lb. | 1 lb. | 1 lb. |
| Salt Fish | ¼ „ | ¼ „ | ¼ „ |
| Jam | ½ „ | — | — |
| Raisins | 10 oz. | 6 oz. | 2 oz. |
| Suet and Lard | 12 „ | 6 „ | — |
| Tea | 2½ oz. | 2 „ | 2 oz. |
| Coffee | 3 „ | 2½ „ | 2 „ |
| Sugar | 1 lb. | 14 „ | ¾ lb. |
| Loaf Sugar | 7 oz. | — | — |
| Cheese | 7 „ | — | — |
| Butter | 12 „ | 6 oz. | 3 oz. |
| Pickles and Vinegar | 1½ gill. | ½ pint. | ¼ pint. |
| Vinegar | — | — | — |
| Salt | 2 oz. | 2 oz. | 2 oz. |
| Mustard | ½ „ | ½ „ | ¼ „ |
| Pepper | ½ „ | ½ „ | — |
| Treacle | ½ lb. | ⅛ lb. | ⅛ lb. |
| Water | 21 qts. | 21 qts. | 21 qts. |

Passengers are found according to the above Dietary Scale, and not by the smaller one in the Contract Ticket, which is only what the Act requires.

3231. *Chairman.*] The Act does not enforce that?—No.

3232. Captain *Scobell.*] Is that such a table as you would think desirable to be embodied in the Act in the room of the one now in it?—I could not venture to give that opinion until I have read it more carefully.

3233. Mr. *Fagan.*] Is the depôt at Birkenhead under your superintendence?—It is.

3234. What is the expense per day of maintenance at that depôt?—I think 2 *s.*

3235. What number of emigrants stop there generally?—It contains about a thousand; but we usually have but one ship at a time, which probably gives about 400.

3236. Are there many Irish emigrants in that depôt?—A great many in every ship; we send out a great many Irish emigrants.

3237. Are you in favour of a general depôt for the general emigration from Liverpool?—I am a great advocate for it. I am only astonished that a great city, which is full of magnanimous acts, should not have a depôt for emigrants.

3238. Are you aware that there is a private depôt in London?—There is a private depôt in London, and we have several private depôts in Liverpool, but no large establishment like the Sailors' Home.

3239. Mr. *Liddell.*] No Emigrants' Home?—Not one; there are several private depôts.

3240. Captain *Scobell.*] Did you hear Mrs. Chisholm examined?—I did.

3241. One of her recommendations was, in order to promote uniformity at all the ports from which persons emigrate, that there should be one chief agent of the ports, or an inspector-general, so as to obtain a uniformity of practice, which I believe is not the case now, as each head at a port judges a little for himself and satisfies himself; do you approve of that suggestion, that there should be such a superintending agent?—I think, under the present circumstances, the Commissioners visit the ports from time to time.

3242. *Chairman.*] Do they visit all the ports?—All the ports.

3243. Do they visit the Irish ports?—I think so. While I was at Dublin, they visited, and I should imagine their supervision would be sufficient. We endea-

vour,

vour, as much as possible, to carry out uniformity. I have every wish to follow the very good example of Captain Lean in London.

3244. Mr. *Meagher.*] Are you aware that he is able to enforce much more rigid regulations in London than you are in Liverpool?—I am not aware of any power that Captain Lean exerts beyond myself.

3245. With respect to the stowage of the cargo, he stated that he had such control over the shipping interest that they complied with any suggestions in that respect that he made to them; whilst, on the contrary, we had it in evidence, whether correct or not, that you were exposed to the threat of a prosecution for having interfered with the stowage of the cargo?—It is quite true; whenever I see it necessary to use my powers I have used them.

3246. *Chairman.*] What are your powers with regard to the stowage below, as contra-distinguished from the stowage on deck?—With regard to the stowage below, I have equal powers as on the passenger deck.

3247. The Act is more specific as to the deck load?—I consider iron seriously objectionable, especially when carried in such quantities as from Liverpool. I consider the mortality at sea chiefly owing to iron cargoes. They make the ship laborious, and cause her to ship a great quantity of water, and probably leak; the people then have to work at the pumps, and are hard fagged and not well fed.

3248. Mr. *Meagher.*] By the people, you mean the passengers?—Yes, they are not well fed, and diarrhœa makes its appearance from constant wet and exposure in very bad weather in a North Atlantic voyage to America, and sickness prevails.

3249. *Chairman.*] With regard to the "Fingal," she was laden with iron?—I am not aware.

3250. It has been given in evidence by a witness, who was not a nautical person, that he understood she had 1,100 tons of iron on board, upon a registered tonnage of not quite 1,000?—I should think it highly improbable that she had that quantity.

3251. Perhaps you will be able to let the Committee have that subsequently?—Subsequently I will inform the Committee what she had, if I can.

3252. Mr. *Hamilton.*] Do you consider that the Act of Parliament in the 26th section gives you power to interfere with the stowage below?—I do not think it guarantees me against prosecution, although from my position I should never flinch from taking the responsibility when it is necessary, as I have invariably done.

3253. Mr. *Liddell.*] The "Annie Jane" was another case?—Yes.

3254. Did she come under your inspection?—Yes; the "Annie Jane" did not exceed in her weight of iron what has usually been carried from the port of Liverpool.

3255. *Chairman.*] Two-thirds?—Yes, and on her return after her first loss of topmasts, she was closely inspected by the surveyors, the clearing officer, and myself, and she had not been strained. I suggested that part of the cargo should be risen, and put on the between decks, which was done, to nearly the amount of 400 tons.

3256. Still it seems that she made an unfortunate voyage after that?—So it does, from the report.

3257. And was wrecked ultimately?—I attribute it partly to the build of the ship, and partly to the severity of the weather which she met with in taking the North Channel passage, which, in winter time, in my opinion, is not a judicious one.

3258. Captain *Scobell.*] Do you not attribute it in part to the inefficiency of the crew, who would not go aloft to furl the sails, or do what was necessary?—That ship was cleared by my first assistant, Lieutenant Prior, who is a very adequate judge of ships and crews, and he considered her crew, compared with that of other merchant ships, efficient.

3259. Mr. *Meagher.*] What test do you apply to the efficiency of a crew; is there any rule on which your assistants act in the examination of the men as to their efficiency?—They examine the men upon the several points of seamanship.

3260. Separately?—Separately. I will give you what I usually do upon my inspection. I call every man before me, and ask him how long he has been at sea; where he served; what class of ship he has sailed in. I usually question him on the lead, and other casual points of seamanship, and reefing, running gear,

Capt. *Schomberg*, R. N.

6 April 1854.

or some common question which an able seaman ought to know. Since the loss of the "Tayleur," in Government ships I have always worked them aloft, reefing top-sails, and sometimes station them for taking a ship and wearing her; but I am not of opinion that such measures could be carried out in private emigration ships, more especially when cleared in dock, where the yards are topped, jibboom rigged in, and other preventions, and crowds of people on the wharf.

3261. Mr. *Liddell.*] Touching the efficiency of the crew, you attribute more weight to testing the ability of the seamen than to mere numerical force?—Yes, undoubtedly.

3262. Are you aware of the order that has lately been issued by the Emigration Commissioners?—I am.

3263. Do you approve of that order?—The effect of that order under present circumstances of war will be, that Liverpool will be drained of seamen, and the United States will benefit. Four men to the hundred tons will go out there, and probably two will return, and in time we shall have a lower grade of men taking the place of able seamen from necessity, which at present in Liverpool is a very scarce article.

3264. *Chairman.*] But if there is such an inducement as you seem to dread on the other side of the Atlantic for seamen to remain, what is there at present to prevent them going out in any vessel to America; you say the effect of insisting on four men to the hundred tons will be that England will lose a great many men?—I think so.

3265. Of course it is not merely on account of there being four men to the hundred tons that these men will remain on the other side of the water, it is because they think they will get better wages, and if that is the inducement does not that inducement exist at present?—Yes; but the great coasting trade in America can give a large employment to seamen; and I think (I speak with great deference) that would be the effect.

3266. Mr. *M. Milnes.*] Would not the increased demand for sailors, consequent upon this regulation, tend to raise their wages, and therefore better their condition?—And bring them back?

3267. Yes?—I think American captains would never ship a strong crew to come to England, when they could come to England with a smaller number. They must pay them.

3268. Mr. *Meagher.*] I am not quite satisfied, from any answer which has been yet given, of the reason why, out of the four men to the 100 tons who are obliged to be taken from England to America, two remain in America; is it because the seamen remain, preferring to remain, or the captain discharges them from having no further occasion for them?—The captain would discharge them, not having any further occasion for them, and he would, probably, bring back two men to the hundred tons, or three, to man his ship.

3269. It is not the inducement for seamen to remain in America, but the ships return with two men to the 100 tons less than they went out with?—Yes; I should like to state the result of my observations in passing Government ships. No officer can judge by wages of the quality of a seaman. Nearly all the best men who go out in Government ships are the men who are leaving this country for the coasting trade of Australia, at a shilling a month usually, and they are frequently prime seamen.

3270. Captain *Scobell.*] What is your opinion as to what number of seamen and ordinary seamen should be the proper number per 100 tons, you stating that four are too many?—I would say the emigration officer and captains would feel very much disposed, in many cases, to have four men, as the ships would be worked with greater facility; but I think it right to lay before the Committee the number of the Australian ships which have sailed from Liverpool, with the length of their voyages, and the number of their crews, that they may, from the result of the year 1853, see what number of seamen navigated those ships, making almost unprecedented voyages, at a not much greater ratio than three men to the 100 tons, including cooks, stewards, and others.

[*The Witness handed in the following document:*]

Capt. *Schomberg*, R. N.

6 April 1854.

PORT OF LIVERPOOL.

Australian Ships during the Year 1853.

| SHIPS' NAMES. | Tons. | Crew. | Souls. | Adults. | Number of Days' Passage. | Deaths. | REMARKS. |
|---|---|---|---|---|---|---|---|
| The Queen - - | 867 | 43 | 242 | 210 | 107 | None. | |
| Prince Arthur - | 1,146 | 37 | 520 | 458 | 102 | 1 | Consumption. |
| Paperveang - - | 782 | 29 | 71 | 65 | 94 | None. | |
| Eagle - - - | 1,065 | 46 | 342 | 324 | 79 | None. | |
| Antelope (S.S.) - | 778 | 59 | 73 | 70 | 167 | 1 | |
| Earl of Charlemont - | 878 | 38 | 341 | 303 | 90 | None. | |
| Marco Polo - - | 1,625 | 65 | 606 | 578½ | 77 | 3 | |
| North Atlantic - | 799 | 36 | 357 | 322 | 100 | 1 | |
| Asia - - - | 1,349 | 47 | 560 | 487½ | 103 | 2 | - - 1 old woman, 1 infant. |
| Albinus - - | 495 | 25 | 221 | 203 | 101 | None. | |
| Miles Barton - - | 995 | 35 | 362 | 332½ | 82 | None. | |
| Indian Queen - | 1,045 | 44 | 341 | 306 | 82 | 1 | |
| Carntyne - - | 991 | 35 | 322 | 295½ | 96 | 1 | |
| Lochiel - - - | 863 | 41 | 326 | 304½ | 88 | None. | |
| Falcon - - - | 1,106 | 48 | 255 | 233 | 83 | 1 | Infant. |
| Alabama - - | 519 | 22 | 174 | 153 | — | — | |
| Ann Dashwood - | 872 | 35 | 361 | 331½ | 143 | 1 | Infant. |
| Ann Halberg - - | 741 | 35 | 227 | 194 | 100 | None. | |
| Star of the East - | 1,219 | 56 | 419 | 386 | 75 | 1 | Delirium tremens. |
| Goldfinder - - | 1,380 | 46 | 528 | 484 | 92 | 4 | - - 2 infirm females, 2 infants at the breast. |
| Tasmania - - | 1,196 | 52 | 441 | 400 | 83 | None. | |
| Great Britain (S.S.) | 1,460 | 142 | 162 | 152 | 65 | 4 | - - 3 children of croup, 1 adult of decline. |
| Martaban - - | 843 | 31 | 99 | 90 | 84 | None. | |
| Gulnare - - | 1,106 | 42 | 105 | 97½ | 110 | None. | |
| Birmingham - - | 1,033 | 61 | 338 | 303 | 91 | None. | |
| Merlin - - - | 1,030 | 39 | 252 | 233½ | 100 | None. | |
| Frederick - - | 863 | 32 | 100 | 87½ | 102 | None | |
| Mobile - - - | 1,040 | 41 | 377 | 351 | 87 | None. | |
| Mooresfort - - | 1,220 | 54 | 464 | 464 | 89 | 6 | |
| Marco Polo - - | 1,625 | 68 | 623 | 623 | 77 | 1 | |
| Hibernia - - | 1,065 | 38 | 249 | 249 | Not out. | | |

I am of opinion that three seamen to the 100 tons, two-thirds able seamen, in a vessel above 500 tons, would be quite equal to man an Australian ship.

3271. *Chairman.*] These should be seamen able or ordinary?—Two-thirds seamen.

3272. Not boys?—No; I am further of opinion that every ship should take apprentices, not less than four, in addition to those. I think, then, a ship would be adequately manned.

3273. Mr. *Liddell.*] Do you think, then, that the late Order, which has been alluded to, should be reconsidered?—I gave that as my public opinion to the Commissioners.

3274. Captain *Scobell.*] Are apprentices now usual in emigrant vessels?—Yes.

3275. When you spoke of the number of seamen and ordinary seamen, did you count any person not keeping watch?—I counted the ship's cook, but not the passengers' cook and steward.

3276. Nor any of the mates?—Yes, I count the mates.

3277. Do you count the first mate?—The first, second, and third mates as working men, and the captain.

3278. You have given an opinion that the amount of wages is no test of the quality of a seaman, and you say that you ask certain questions of the men, and satisfy yourself with their answers; would it be an improvement on the inspection of the crew before they went to sea, to make them go aloft, and lie out in the rigging and yards, that you might see if they were seamen or only pretended seamen?—I think it would be very desirable to be satisfied that they were seamen.

3279. Mr. *M. Milnes.*] Have you frequently seen the American ships?—Yes.

Capt. *Schomberg*, R. N.

6 April 1854.

3280. Have you ever seen any of those that were conducted by the Mormonites?—I have frequently, and have heard very satisfactory reports of them.

3281. To what do you attribute their peculiar advantages?—Their general good order, and their being a great deal together and united, and keeping their ships clean, and in an efficient state.

# SECOND

# REPORT

FROM THE

## SELECT COMMITTEE

ON

# EMIGRANT SHIPS;

*TOGETHER WITH THE*

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

*Ordered, by* The House of Commons, *to be Printed,*
5 *July* 1854.

*Jovis*, 2° *die Martii*, 1854.

*Ordered*, That a Select Committee be appointed to inquire into the recent Cases of extensive Loss of Life aboard Emigrant Ships, whether by Sickness, Wreck, or other Causes; and generally into the Sufficiency or otherwise of the existing Regulations for the Health and Protection of Emigrants from the United Kingdom.

*Mercurii*, 8° *die Martii*, 1854.

Committee nominated accordingly.

Mr. John O'Connell.
Mr. Peel.
Mr. Chichester Fortescue.
Mr. Vernon Smith.
Mr. Hankey.
Sir James Anderson.
Mr. Meagher.
Mr. Liddell.
Mr. Monckton Milnes.
Mr. George A. Hamilton.
Sir Thomas Herbert.
Mr. Fagan.
Mr. Davison.
Captain Scobell.
Mr. Higgins.

*Ordered*, That the said Committee have power to send for Persons, Papers, and Records.

*Ordered*, That Five be the Quorum of the Committee.

*Jovis*, 6° *die Aprilis*, 1854.

*Ordered*, That the Committee have power to Report the Minutes of Evidence taken before them, from time to time to The House.

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# SECOND REPORT.

THE SELECT COMMITTEE appointed to inquire into the recent Cases of extensive Loss of Life aboard Emigrant Ships, whether by Sickness, Wreck, or other Causes; and generally into the Sufficiency or otherwise of the existing Regulations for the Health and Protection of Emigrants from the United Kingdom, and who were empowered to report their Observations, together with the Minutes of Evidence taken before them from time to time, to The House:——Have made further Progress in the Matters to them referred, and have agreed to the following SECOND REPORT:

THE terms of the Motion under which they were appointed have been held to restrict them to an inquiry into the operation, during the last 18 or 19 months, of the Amended Passengers' Act, passed in 1852, on the recommendations of a former Committee, who went more at large into the general subject of Emigration, and the result of whose labours is proved, by the evidence now submitted, to have been of considerable value.

The present Committee, like the former, have had to encounter two very serious obstacles first, in the absence of anything like complete returns from the Ports of the United States of the condition in which the Emigrant Ships and their Passengers arrive in those Ports; and, secondly, in the almost impossibility of procuring evidence from the emigrants themselves, as they hasten to disembark and disperse at once upon landing.

In the case indeed of the Canadian Emigration, the same difficulties were not found to exist, at least not to the same extent. But an Act passed by the Canadian Legislature only last year, attests in the preamble to its 3d section that, "masters of vessels were in the practice of embarking passengers after the vessel "had been cleared by the proper officer at the port of departure, and that they "did not deliver lists of such additional passengers to the officer to whom the "same ought to be delivered," before disembarkation in Canada.

Q. 3738, 3785.

*See* Papers presented by Command, April 1854.

It is, therefore, evident, that up to the period of the passing of the local Act just mentioned, the arrangements were defective even as to the emigration between our own ports at either side of the Atlantic; and although the evidence and documents given by Mr. Murdoch, chairman of the Colonial Land and Emigration Commissioners, show that the emigration authorities have not been remiss in their endeavours to enforce the Passengers' Act, your Committee believe that there may be occasion for increased activity and vigilance, the more especially as Dr. Douglas, medical superintendent in the St. Lawrence, has stated that it was only in ships from the Port of London that he had observed a compliance with that important provision of the Passengers' Act, which directs the separation of unmarried men from others by a bulkhead across the ship.

Q. 2830, 2831–2.

In Australian ports a system of supervision exists, which there is reason to believe is generally effective. But it would seem desirable that full reports from them should be made regularly and in an official shape. Mr. Murdoch is of opinion that for this purpose nothing more is necessary than an instruction to that effect from the Secretary of State for the Colonies to the respective Governors.

Q. 138, p. 11, First Report.

The following resolutions of the New York Legislature passed in the present year, will prove that in the United States public attention has been called to the necessity of additional legislation, for the protection of emigrants to that country:—

Q. 91, p. 7. First Report.

"Resolutions of the Legislature of New York in favour of the enactment, by Congress, of such Laws as may be necessary to secure the Health of Passengers in Emigrant Vessels.—February 2, 1854. Ordered to lie on the table, and be printed.—State of New York, in Assembly, January 6, 1854,—Joint Resolution, calling the attention of Congress to the sufferings of passengers transported in emigrants vessels: Whereas, during the last twelve months, great and increasing mortality has occurred on board of vessels engaged in the business of carrying emigrants to various ports of the United States, and undoubted evidence exists that such suffering and death results from insufficient ventilation; and whereas the existing laws are inadequate to secure the emigrants from these calamities: Therefore resolved (if the Senate concur), That we respectfully ask the Congress of the United States to investigate this important subject, and enact such laws as may be necessary to secure the health of passengers in emigrant vessels. Resolved, That a copy of the foregoing preamble and resolution, duly authenticated, be forwarded to our senators and representatives in Congress.—A true copy from the minutes: *D. U. Sherman*, clerk.—In Senate, January 28, 1854: Resolved, That the Senate do concur in the passage of the foregoing resolution.—A true copy from the minutes. *H. J. Hastings*, clerk."

Taking the foregoing into account, and also the opinion of Mr. Murdoch, strongly expressed in answer to questions 44, 45, as well as elsewhere, Your Committee very earnestly recommend that Her Majesty's Government should enter into negotiation with the Government of the United States, with the view of concerting an effective system of co-operation between the two Governments, whereby to ensure not only returns and statistics of the transit of passengers from one country to the other, but also a similarity and certainty of punishment in the ports of either, in cases of infraction of the regulations mutually agreed upon.

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## CAUSES OF DISASTER.

### 1.—*Iron Cargoes.*

In estimating the causes of the frequent disasters to emigrant vessels the effects of iron cargoes require a prominent consideration. That a larger number of accidents have occurred to vessels so laden than to others, is incontestable. The returns of the Collectors of Customs, alluded to by Captain Beechey, R. N., in his evidence, and partially quoted by him in his Report on the loss of the "Annie Jane," the remarks of that officer himself, in his report, those of Mr. Buchanan, Emigration Agent at Quebec, and the statements of several of the witnesses before this Committee, all tend to establish the fact. The evidence of the master of the "Annie Jane" is very strong upon this point, showing, as it does, the precautions taken in other countries to lighten the strain of an iron cargo upon a ship and not adopted in British ports; as also the inconsiderate manner in which some owners, charterers, or brokers, will load with iron, even against the remonstrances of their sailing-masters.

Q. 2433.

Capt. Beechey's Report on "Annie Jane," p. 6.

Mr. Buchanan's Report, 31 Dec. 1853, p. 16 of Papers presented April 1854.

Capt. Beechey's Report on "Annie Jane," pp. 61, 62.

In the evidence, also, of Mr. Murdoch, Chairman of the Emigration Commissioners, of Captain Beechey, Captain Walker, Mr. Besnard, and Captain Schomberg, the Government Emigration Officer at the Port of Liverpool, as well as in that of other witnesses, there is abundant attestation to the distressing effects of a cargo of iron, and its unsuitableness, at least in any great quantity, for vessels carrying also a crowd of emigrants. Captain Schomberg considers iron "seriously "objectionable, especially when carried in such quantities as from Liverpool; and "that the mortality at sea is chiefly owing to iron cargoes, as they make the ship "laboursome, and cause her to ship a great quantity of water; and probably to "leak. The people have then to work at the pumps; and are hard fagged and "badly fed."

Q. 5796, 5800, &c.

Captain De Courcey, R.N., Government agent at Queenstown, recommends that the quantity of iron to be loaded in a passenger ship should not be more than in the proportion of one-third of her registered tonnage, or at the very utmost one-half. His evidence on this point entirely corroborates that of Captain Schomberg, and the other parties alluded to.

It is argued by some of the witnesses, that further interference on this score would

would be injurious to trade; and that the Legislature ought not to fetter mercantile enterprise. Also, that if ships be restricted as to cargo, the price of passage will be raised.

Your Committee would submit, that security to human life is a paramount consideration to any other; and the evidence is distinct of the want of that security in vessels heavily laden with iron. To use the words of Mr. Murdoch, "all regulations that would promote the health, comfort, and strength of pas- "sengers should be established without reference to the effect they will have on "emigration." Q. 3736, 3737.

In reference to the nature of the further restriction to be imposed upon iron freights, your Committee have only to say, that much must, of course, be left to the discretion of the emigration officer; but still some stricter limit than at present existing should be established. At present the Emigration Commissioners instruct their officers, in the absence of any definite enactment, to limit generally such cargoes to two-thirds of the tonnage of the ship. This, of course, is a rule of unequal application, owing to the varieties of construction of vessels, some being considered capable of carrying more than their actual registered tonnage, while others would be overladen with only half the amount of their register. Still the fact of such a preponderance of accidents occurring with vessels laden with iron proves that the discretion now left is much too wide.

It requires to be specially remarked, that an injurious and dangerous degree of doubt has been left by the Passengers' Act of 1852 as to the powers of the Emigration Agent to compel alteration of what he may deem bad or dangerous stowage. The Act is clear (in sect. 26) in giving him power to alter the deck-load; but its very explicitness in this respect renders its silence as to similar alteration below the more significant, and the more likely to cause litigation. The Commissioners, although in much doubt on the subject, have generally approved of their officers assuming powers to alter the stowage below, as well as on deck; and the local officers themselves have in several cases not hesitated to do so, when they thought their duty required it. But they have been subjected to actions at law for exceeding their powers; and there is quite uncertainty enough about the provisions in the matter to cause additional litigation when the occasion may arise. And so impressed with this fact are they, that instances have not been altogether wanting when those officers have refrained from interfering, though fully impressed with the propriety if not the absolute necessity, of their so doing. Your Committee would, therefore, strongly recommend that all doubt should be removed upon this subject.

15 & 16 Vict. c. 44. Murdoch, Q. 202, 203, 205. Q. 3759, 3761, 3762, &c. Evidence of Capt. Schomberg and Mr. Murdoch.

2. *Insufficiency of Existing Measures of Precautions for the Preservation of Health.*

Your Committee have to remark, in reference to medical and sanatory arrangements, that Mr. Murdoch expresses a very decided opinion that the time has arrived for further limiting the number of passengers, who may be carried without a medical officer on board of emigrant ships; and recommends that, instead of 500 as at present, the limit should be 300. The former number he states to have been adopted, "because it was considered scarcely possible to find surgeons for "every ship, and therefore the limit of 500 was fixed;" but "as a step in advance "towards putting surgeons in all ships." And upon a subsequent day of examination he adds that, "in some years it may be possible to find the requisite "number of medical men for the number of ships," but that "in these matters "we must proceed tentatively; and the reduction from 500 to 300 will bring "an immense number of ships under the operation of the provision of the "Passengers' Act that are not under it now." Q. 283, 618, 3728, &c., &c. Q. 280. Q. 3726, 3728.

The evidence of other competent parties tends to confirm Mr. Murdoch's recommendation, as the smallest measure of amendment to be adopted in this respect.

It is stated that too frequently the surgeons of emigrant ships not chartered by Government, are found to be incompetent; and this grave evil is by some witnesses attributed to the difficulty before alluded to, of getting well qualified persons in that capacity. The Emigration Commissioners, however, have generally been successful in procuring them for their own ships; by the simple agency Murdoch, Q. 439, 440.

agency of good pay, calculated on a scale of progressive increase for every additional voyage made. It will be for The House to consider whether a similar system should or should not be enforced on private ships; and also whether the present system of judging of a surgeon's attainments from a mere examination of his papers by the Emigration officer, with the aid, if he think fit, of a medical friend, can be deemed satisfactory.

While upon this topic, Your Committee would also call attention to the very important point of devising additional protection for the health of passengers in times of epidemic disease. A very large proportion of the unusual mortality of last autumn in the Emigration to the United States was attributable to cholera, then rife at Liverpool, whence the greater number of the ships so attacked happened to sail. At present the emigration officers at the various ports are instructed not to allow a ship to sail when the cholera, or other serious epidemic, has declared itself on board. But, as will be seen from Mr. Murdoch's evidence, when questioned in reference to the fact (first stated by the Mayor of Limerick, who had been in correspondence with the Government on the subject), that several vessels left the Port of Limerick in April last with cholera on board, the present requirements of the Act are satisfied, if there be not a case of illness on the day of clearance.

Q. 3884, 3885.

Mayor of Limerick; also Mr. Murdoch, Q. 3884.

Your Committee concur with Mr. Murdoch, and other witnesses, in their opinion that power should be given to the Queen in Council, either to stop emigration altogether from ports where dangerous epidemics prevail, during their prevalence, or in case there appear to be circumstances to justify exceptions to the rule, that any ship so excepted should be required to take a surgeon, even though the number of her passengers should be below the limit fixed by law as requiring such an officer.

In considering measures for the prevention of disease, the attention of your Committee has been called to the fact, that the seeds of disease have often been sown among the emigrants by their sufferings from exposure on the decks of the Channel steamers which convey them to the English ports of embarkation. The Emigration Commissioners always require cover in Channel passages for emigrants coming over to join their ships; and at all times, when troops are sent any distance by sea in the Irish or English Channel, cover is provided for them.

Q. 3341, &c., 3749, 3750, &c. 5044 to 5046. 5046, 5198, 5746, 5747, &c.

Q. 4906. Mr. Besnard, of Cork, cites a case in the port of Cork, where comfortable shelter was provided for this class of passengers without increase of charge; and he does not hesitate to apply the epithet "inhuman" to the general system of taking deck-passengers without some such accommodation as he describes.

Q. 4892. It being suggested to him by a Member of the Committee, that, "after all, this (*i.e.* the taking a deck-passage) "is a voluntary act on the part of the emigrants," he replies, "I do not consider so; because the order comes from America (where "the whole passage is paid) to the parties to proceed to Liverpool to ship; and "these people coming from the interior of the country, have no idea what a deck "passage is, or what they have to suffer." And to later questions, he replies, "I cannot see why Government should not afford the same protection to emigrants proceeding in steamers, as in emigrant ships. I know there is not proper protection for health or life on the decks of those (channel) steamers. I have seen the emigrants arrive by them at Liverpool and Plymouth in a state that no language can describe; it should be seen to be believed."

Q. 4896, 4897. Q. 4904. Q. 4925. Q. 4930.

*See* his Evidence, pp. 88–90, First Report. Q. 1530, 1537, &c. Q. 1577. Q. 1526.

Mr. Sylvester Redmond, who states that he has made several passages across the Irish Channel, says, in answer to various questions, "I have seen from 100 "to 300 passengers exposed on deck; I have seen the sea washing over the deck, "completely drenching the unfortunate people. On one morning I saw 50 or 60 "people, including five children, perfectly cold and stiff." He cites particular cases, in one of which a boy, and another of which, a young woman, were insensible for a number of hours after their sufferings by drenching and exposure on deck. He also mentions, that where deck-passengers are admitted to the engine-room or to deck-houses for shelter in very bad weather, they are made to pay for the accommodation.

It appears by the evidence of Mr. Besnard, Mr. Redmond, Captain de Courcey, Mr. Watson, Director of the Dublin and Liverpool Steam Company, Constable Duross and others, that the steamers carrying deck-passengers, are also allowed to carry both cargo and live stock, the former occupying the space between decks, that might be otherwise given to the deck-passengers, and the live stock under cover as much as possible in deck-houses, and well cared for. The average passage of steamers thus freighted from Dublin to Liverpool is 14 hours, from Cork to Liverpool 30 or 36 hours, from Cork to London three days; and during all that time the cattle and live stock are protected, while the deck-passengers for the far greater part are left without shelter or accommodation of any kind on the bare deck.

Although this subject is not within the scope of the Passengers' Act, your Committee would recommend that the practice before referred to of the Emigration Commissioners, in insisting on accommodation under cover for emigrants making Channel passages to join the Commissioners' special ships, should be enforced with reference to other emigrants on similar passage to private ships, a regulation which could easily be provided for by the terms of the contract ticket given to passengers. 15 & 16 Vict. c. 44.

There is a concurrence among several of the witnesses before this Committee in recommending an increase of the space given in the "between-decks" of emigrant ships to their passengers. Mr. Murdoch would enact that no vessel should give less than the 14 feet required in American ships, and which is also required now in ships going to British North America without surgeons." Mrs. Caroline Chisholm, whose zeal and exertions in the cause of the poor emigrant, entitle her to high respect, speaks strongly upon this point. She states that the present space is not sufficient for health, and that in the ships with which she has had to do, 12 per cent. more space is given to each by the Emigration Society with which she is connected. Captain Schomberg, and competent parties, speak to the same effect; and your Committee are of opinion that the enactment suggested by Mr. Murdoch is most desirable, and therefore recommend it. Space for passengers. Q. 618. Q. 3550, 3552, &c.

Mrs. Chisholm, supported also by Captain De Courcey, Mr. Sydney, and other witnesses, further recommends an alteration in regard to children, to the effect of allowing them, when under 14 years of age, more space than that given by the present law. By the present law, two children under 14 are counted but as one person, or *statute adult*, and are allowed only the space of one such adult. Mrs. Chisholm would give the full amount of space of an adult to children above a year old, and half that space to infants below one year, which latter are not contemplated at all under the present law, although she considers that they require at least the half space, "even if only two days' old." She gives it as her opinion, that "it is want of space, more than anything else, which has "caused so many deaths among children." Captain De Courcey recommends that two children should not be considered as one adult (and thereby be limited to space) above the age of 10 years, or even of seven years. Such other witnesses as had their attention called to this point, acquiesced in the recommendation, so far at least as reducing the period of 14 years to a much lower point. The common ground of these recommendations appears to be in the fact, that children stand quite as much (if not more) in need of room to breathe freely, particularly when sleeping, as those who are advanced in years. Q. 2991.

Much evidence has been given of the inconvenience of the prevailing system of fitting passengers' water-closets upon deck, from their exposed position. It not unfrequently happens that they are washed away by the sea in bad weather, especially when they have been constructed in the bows of the ship; and even when entire, the annoyance to females of having to resort to them on the open deck, seems to urge strongly that, at least for female passengers, the rule in force in the Government Emigration ships, of having closets between decks, should be more generally adopted. At the same time there has been undoubtedly much complaint with reference to closets between decks; and the Emigration Commissioners seem to have found more difficulty in their arrangements on this than on most other points, owing to ignorance or carelessness, or both, among the passengers. Still, as notwithstanding these difficulties, the Commissioners by no means contemplate restricting this accommodation to the upper deck, and as competent witnesses have allowed that the appointment of a

special passengers' steward, to look after and keep in order the closets between decks, would lessen the causes of complaint above mentioned, Your Committee are of opinion that, in so far as possible, the female passengers, at least in vessels of any size, should have this accommodation, and not have their feelings outraged, and themselves often exposed to actual danger, by having to resort to closets on deck

Ventilation.

With reference to ventilation, your Committee believe that the emigration officers at the various ports give as much attention as possible to this difficult yet most important point. Opinions are too much divided even among experienced persons for any fixed rule to be laid down; but whatever may be the system adopted, it would appear desirable that it should in all cases include a raised housing or booby-hatch, as in American vessels, around the hatchways on the upper deck, whereby in most weathers, windows or scuttles in the lee side of those housings can be kept open, and the extreme measure of battening down the hatches be avoided.

*Diet.*

Sec. 32.

In dealing with sanitary arrangements, the influence of diet should, of course, not be overlooked. The Passengers' Act establishes what was intended to be a *minimum* scale of diet, and was evidently so considered by the framers of the Act; as to the very clause that enacts it, there is a provision attached, allowing for substitution, at the will of the master of the vessel, of a more nutritious scale. The Emigration Commissioners themselves in their own ships provide more liberally; but in private ships the "minimum" has turned out practically to be a *maximum*, and, as such, is not, according to the weight of the evidence, sufficient to sustain health.

Murdoch, Phillips, Besnard, Richards, &c.

It is true that emigrants from Ireland occasionally bring little stores of their own on board; but there is much uncertainty in this casual supply; and the difficulty attending the cooking of it by persons unfamiliar with the motion and usages of a ship, together with the crowd at the "galley" or cooking place, too often renders it impossible, especially for the weak or infirm, to avail themselves of their stores. The keeping of these stores in their berths is liable also to create and increase dirt below, as well as to occupy space needed for other purposes; and the knowledge that additional stores are thus certain to be brought on board, tends necessarily to make the providers of the diet demanded by the law less careful, as they are apt to depend on them to supply any deficiency.

Several private charterers of emigrant ships consider it desirable to exceed the legal scale of dietary, looking upon the latter as decidedly insufficient; and Your Committee, taking this into account, and also the circumstance that the Emigration Commissioners themselves go beyond the legal limit in this respect, feel justified in recommending that an addition be made to the dietary scale in the Passengers' Act of 1852, so that it be adequate for proper sustenance, without the necessity of private supply.

*Ships taken up for Emigrants.*

The evidence is general against the employment of very large ships, especially those which stow their passengers upon more than one deck, meaning thereby the main and lower decks, and not the upper deck, even when fitted with deck-houses for additional accommodation. The grounds of objection to a second passenger-deck below are obvious, from the difficulty of thorough ventilation, and the aggravation of all the inconveniences and evils which necessarily attend the carrying of emigrants under even the most favourable circumstances. Mr. Murdoch has distinctly expressed the determination of the Emigration Commissioners not again to charter vessels with two passenger-decks; and the increased rate of mortality to which he and others testify as having occurred in such vessels in the Australian voyage, shows strongly the propriety of this decision, and the advisability of its being generally adopted and enforced.

*See* Evidence of John Ryan, Q. 3886, *et seq.*

"Deck-houses," that is, temporary cabins, built on the upper deck, for the accommodation of emigrants, are open to peculiar objections. In the first place, they are very liable to be damaged or carried altogether away in bad weather, especially

especially in a vessel laboursome from the nature of her cargo, or other causes; and in all cases they tend to deprive passengers of much space that would otherwise be available for exercise, so necessary to their health, when long cooped up on board a ship.

In selecting ships for their purposes, the Emigration Commissioners confine their choice of vessels classed at Lloyd's as much as possible to the vessels that rank in the two highest classes, and take no vessel below them, unless after a careful examination and certificate from their officers that she is seaworthy, and fitted in all respects for the intended voyage. In the private emigration the same stringency is not practised, although a similar survey and certificate are required from the Government surveyors; and although the local officers appointed to examine emigrant ships have, on the whole, been proved to have done their duty; yet it has happened, that vessels with emigrants have proceeded to sea which there is reason for believing would not have been taken up by the Commissioners for their emigration.

There is an important difference between the conditions insisted upon by Government, when engaging vessels, and the conditions observed in the private emigration:—

Four men to the 100 tons are insisted upon in Government vessels, and not in the private ships. Manning.

This point is one of much difficulty. Recently the Emigration Commissioners issued a regulation enforcing it on all vessels in any way under their surveillance, but had to suspend its operation, owing to the strength and urgency of the remonstrances made against it. It is urged that there is great difficulty in getting the number of seamen which would be so required, and that where they could be procured, they would be sure to leave the ships when arrived in America, or could only be retained by wages so high as materially to enhance the expenses of Emigration. It is also urged that the American vessels in the passenger trade are seldom sailed with even so many as three seamen to the 100 tons. In the case of American ships, however, it is to be remarked, that they are ordinarily fitted with a great number of additional "purchases," or mechanical helps to labour, which go a good way in supplying the want of men, but which do not prevent the scanty ships' companies from being overworked; and any fear from American competition would be obviated by the necessity which American ships would be under of complying with British regulations, when sailing from British ports.

Mr. Murdoch states that the rule of four men to the 100 tons is always insisted on by his Board in the Australian emigration, they being of opinion that "a strong crew is one of the elements of safety." He adds "that he sees no reason "why the vesels in the American passage should not be as well manned, except that it increases the expenses." Against the disadvantage however of an increased expense, there is not only the great counterbalancing consideration of increased security for human life, but there are also strong grounds for believing that the clearly proved determination of the parties in America from whom such large remittances are constantly coming to Ireland to bring their friends out at any cost, will not be in the least abated. Q. 234, 265, 266. Capt. De Courcy, 5861, 5862.

The stormy character of the Atlantic Ocean at all seasons of the year, and the frequently recurring stories of disaster and wreck, tend to give great importance to the consideration of what shall be deemed a sufficient rate for manning vessels to which the safety of so many hundred lives are entrusted. It may at the same time be observed, that no addition to their numbers can compensate for the want of practical skill and efficiency in the seamen. Your Committee would therefore recommend that great attention should be paid by the emigration officer in ascertaining the efficiency of the crew.

Some of the nautical witnesses have spoken strongly in favour of compelling a certain proportion of apprentices to be taken as part of a ship's crew; and this they recommended mainly on the ground of the present scarcity of good seamen, and the advisability of training up boys in time. Your Committee express no opinion themselves on this subject.

The seaworthiness of passenger ships is another consideration of importance.

The precaution now resorted to is that of inspecting a vessel before she puts to sea; but it may be worthy of consideration whether there would not be an advantage in requiring the master of the vessel, under penalty in a bond, to note down in his log the sailing and sea-going qualities of his vessel from the moment of sailing; and in case of discovering ere leaving the land that she was unhandy, or otherwise likely to prove unfit for the voyage, to return with her, either to the port he sailed from, or such other as he might deem more convenient, to report the circumstances to the emigration officer there, and to take all necessary measures for their amendment; and it is also worthy of consideration, whether an untried vessel of extraordinary construction should not have her capabilities tested before proceeding on a voyage with emigrants.

Q. 2712, 3432, &c.

The Reports of Captain Beechey, R.N., and Captain Walker (made to the Board of Trade, and recently presented to The House), upon the melancholy loss of the "Annie Jane" and the "Tayleur," render it unnecessary for Your Committee to enter upon the details of those cases; and they therefore refer to the Reports in question, as containing much that will be found to corroborate the recommendation they have thought proper to make.

The exceedingly important question raised in the case of the "Tayleur," as to the extent and degree of the disturbing influence that iron, whether in the construction of a ship or as forming part or the whole of her loading, has been found to exercise upon the accuracy of her compasses, remains unsolved, your Committee not having found much agreement of opinion amongst those who might be considered competent judges. No sufficient reason, however, appears to have been given why the "Tayleur" was not put through the usual operation of being "swung" for the comparison and adjustment of her compasses, after she had received her large cargo of iron, nor why the the usual "table of errors," in reference to the results of her first "swinging" previous to receipt of cargo, was not supplied, to assist the captain in his correction of her courses. There being no doubt at all that iron must disturb the accuracy of compasses (whatever may be the degree in which it so does), and the consequences of such disturbance being so notoriously lamentable, it appears to Your Committee that it should be rendered compulsory on owners and charterers of vessels to observe, to the strictest point, the measures which are in use for a proximate correction of the disturbance, even although scientific men be not agreed as to the entire efficiency of those measures.

Your Committee recommend, in reference to the number of passengers allowed by the Act to be carried in one vessel, that it should not, except in special cases sanctioned by the Emigration Commissioners, exceed 500; and they are fortified in this by the opinions of Mr. Murdoch, Captain Schomberg, and other officers experienced in emigration.

They further recommend, that the sections 3 and 4 of the Passengers Act, whereby vessels carrying no greater proportion of passengers (*i. e.* steerage passengers) to her tonnage than four to the 100 are exempted from several important provisions of the Passengers Act, should be amended. Vessels with only the proportion just mentioned are technically denominated "short ships," and not coming under the regulations which limit the quantity of cargo; cases have occurred of great suffering to their passengers from the want of proper accommodation. We would recommend that a vessel be brought within the scope of the Passengers Act where the number of passengers on board is in the ratio of two to the 100 tons.

It is right to state that Mrs. Chisholm and some others, who have given it much attention, are of opinion, that nearly all the existing excepted cases in the Act, whether as to "ships" or "passengers," should be done away with; and that in reference to "passengers," the distinction between those in the cabin and those in the steerage is particularly objectionable, inasmuch as cabin passengers are found to be as helpless on board ship, and really quite as much in want of protection, as the poorest of those in the steerage.

While on the subject of the ships which should be brought within the operation of the Act, Your Committee would observe, that there is a present exemption from such operation of "any steam-vessel carrying Royal mails, or carrying mails "under contract with the Government of the country to which such steam-vessel "may

"may belong." It was explained by Mr. Murdoch, that when the present Passengers Act was introduced into Parliament there were no steam-vessels employed in the carriage of passengers, and the object of the clause was to prevent interference by the Emigration officer with any of the steam-vessels under permanent contract with the Government (such as Cunard's and West India packets) in the event of their happening to have on board a number of steerage passengers. The clause has, however, been so interpreted as to exempt all steam-vessels having a Post Office bag on board; and as steam-vessels are now largely employed in the carriage of passengers both to America and Australia, it is very desirable to limit the restrictions, according to the original intention, to Post Office steam-packets only. Q. 321.

*Runners,—Lodging,—Detention, &c., of Emigrants.*

The regulations adopted on the recommendations of the Committee of 1851 for the protection of emigrants while waiting for their ships, especially the restrictions thus enacted upon the persons called "runners," who, in fact, made a prey of the poorer emigrants, seem to have operated very beneficially; but according to the evidence of Mr. Besnard, Captain de Courcey, Mr. Redmond, and others, something more is required to be done in this respect. Your Committee would recommend that these "runners" should all wear "badges" under police regulations, so that misconduct may be the easier traced. They further recommend that all shipbrokers or charterers employing such parties to get the emigrants to their ships, shall be compelled to send in to the chief emigration officer at the port at the beginning, or not later than the 5th, of each month. The lists, with the names and description of these "runners," which, by the 68th section of the "Passengers Act" of 1852, he is compelled to give in monthly, but which is frequently not given in till the last day of the month, when it often happens that the engagement of the "runner" is terminated. Evidence of Captain De Courcey, June 12.

The present "detention money" allowed by ship charterers for the support of emigrants during the detention of their ship after the day of sailing originally fixed, is 1 *s.* per head for every adult. This sum appears by the evidence to be barely enough to sustain life, and where the delay is of any duration, health is found to suffer from insufficient sustenance. Your Committee recommend that the money so to be allowed should be increased to 1 *s.* 6 *d.* per day for adults, and 1 *s.* for children under ten years of age.

The evils of emigrants' lodging-houses, noticed by the Committee of 1851, have in some degree been corrected; and, probably, as much so as is practicable, while the system of private lodging-houses subsists. Your Committee are of opinion that the depôt system, which is favoured and adopted by the Emigration Commissioners, should be generally established. The Committee of 1851 reported in favour of the establishment of an "Emigrants" Home" or "Depôt" towards the maintenance of which each contract-ticket should include a payment of from 1 *s.* to 2 *s.*; such depôt to be under the management of the local authorities of the port of embarkation. The Committee of 1851 add, that a plan of this nature, previously tried in Liverpool, failed, owing to the opposition of private interests. The present Committee suggest a renewed consideration of the subject. Pages 9 & 10, Report of Committee of 1851.

Some witnesses have suggested the expediency of causing one half of the passage-money received by ship-brokers and charterers to be lodged to the credit of the Emigration Commissioners, until report of safe arrival of the emigrants at their destination; such deposit to be liable to partial or total forfeit, in case of accident, resulting from defective or bad arrangements. Mr. Murdoch thinks all the purposes proposed to be served by this system, are sufficiently met by the penal bond into which those parties are at present compelled to enter.

*Boats.*

The number of boats prescribed by sect. 44 of the "Passengers Act," to be carried by emigrant ships appears to be sufficient; and Your Committee have no reason to believe that the emigration officers at the various ports to whose discretion it is left to judge of the fitness of these boats, have not exercised that discretion judiciously. The difficulty, however, that, in most cases of emergency

at sea, has been found to attend the hoisting out and lowering of boats of the usual construction, seems to point to the necessity of testing some of the new patented inventions, which are asserted to offer the combined advantages of easy stowage in a small compass when on board; great lightness and handiness in lowering under almost any circumstances; capability of being constructed of any required dimensions, without losing the two first-named qualities; and finally, greater safety when in the water than wooden boats of any construction are capable of giving. Two plans of such inventions have been before Your Committee, one invented by the Rev. E. Berthon of Fareham (a report of which by the authorities at Portmouth is included in the Appendix), and the other by Mr. Parratt, jun., of the Treasury, in favour of whose invention a report from the Assistant to the Surveyor of the Navy, made to the Lords of the Admiralty, was laid before Your Committee.

With reference, however, to these and to other inventions, such as that of a metal cask to obviate the evils attendant on carrying water on board ships in wooden casks, and having the recommendation of being easily taken to pieces and stowed away, when not in use, plans of life-belts, or floats, &c., Your Committee have considered that it did not come altogether within their competency to pronounce upon them. They have accordingly referred all such matters to the Emigration Commissioners, with a strong recommendation that those gentlemen should give them every attention; the present means of saving life in cases of total wreck, even where the full number of boats is provided, being proved by experience to be insufficient; and Your Committee are impressed with the desirability of emigrant ships carrying a portion at least of their water in iron, which recommendation is supported by evidence.

*General Remark.*

Your Committee cannot conclude without again recommending that Her Majesty's Government should endeavour to obtain the co-operation of the United States in an amended Passengers Act, to be enforced in the United States' courts, in the case of vessels arriving in their ports. This was one of the leading suggestions of the Committee of 1851, and subsequent experience has only made it more clear that in no other way can an effectual control be obtained over passenger ships, especially foreign ships, on the voyage from this country to the United States; for whatever misconduct may occur on the voyage, it is scarcely possible to obtain legal evidence of it on the return of the vessel to this country; and, therefore, the only chance of punishing such misconduct is by proceedings at the port where the vessel arrives, and where the witnesses are collected.

5 *July* 1854.

# PROCEEDINGS OF THE COMMITTEE.

*Lunæ*, 13° *die Martii*, 1854.

MEMBERS PRESENT:

| | |
|---|---|
| Mr. J. O'Connell. | Captain Scobell. |
| Mr. Hankey. | Sir J. Anderson. |
| Sir. T. Herbert. | Mr. Peel. |
| Mr. Meagher. | Mr. Liddell. |
| Mr. Fagan. | Mr. M. Milnes. |
| Mr. Davison. | Mr. O. Higgins. |

Mr. *John O'Connell* was called to the Chair.

Committee deliberated on the course of Proceeding.

[Adjourned to Thursday next, at Half-past Twelve o'clock.

*Jovis*, 16° *die Martii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. C. Fortescue. | Sir T. Herbert. |
| Mr. Hamilton. | Mr. Fagan. |
| Sir James Anderson. | Mr. Davison. |
| Mr. Meagher. | Mr. Liddell. |
| Mr. Peel. | Mr. M. Milnes. |
| Mr. Hankey. | Mr. Vernon Smith. |

Mr. *Thomas William Clinton Murdoch*, examined.

[Adjourned to Monday, at Half-past Twelve o'clock.

*Lunæ*, 20° *die Martii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. C. Fortescue. | Mr. Fagan. |
| Mr. Hamilton. | Mr. Davison. |
| Sir J. Anderson. | Mr. M. Milnes. |
| Mr. Meagher. | Mr. V. Smith. |
| Mr. Peel. | Captain Scobell. |
| Mr. Hankey. | Mr. Higgins. |
| Sir T. Herbert. | |

Mr. *T. W. Murdoch*, further examined.

Dr. *William Doherty*, examined.

[Adjourned to Thursday, at Half-past Two o'Clock.

*Jovis*, 23° *die Martii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. C. Fortescue. | Mr. Fagan. |
| Mr. Hamilton. | Mr. Davison. |
| Sir J. Anderson. | Mr. Liddell. |
| Mr. Meagher. | Mr. M. Milnes. |
| Mr. Peel. | Mr. V. Smith. |
| Mr. Hankey. | Captain Scobell. |
| Sir T. Herbert. | Mr. Higgins. |

Lieutenant *Hutchinson*, R.N., and Mr. *Sylvester Redmond*, severally examined.

[Adjourned to Monday, at Half-past Twelve o'clock.

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*Lunæ*, 27° *die Martii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. C. Fortescue. | Sir T. Herbert. |
| Mr. Hamilton. | Mr. Liddell. |
| Sir J. Anderson. | Mr. Fagan. |
| Mr. Meagher. | Captain Scobell. |
| Mr. Peel. | Mr. Higgins. |
| Mr. Hankey. | |

Mr. *Sylvester Redmond*, Mr. *William Phillips*, and Commander *Lean*, R.N., severally examined.

[Adjourned to Thursday, at Half-past Twelve o'clock.

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*Jovis*, 30° *die Martii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. C. Fortescue. | Mr. Higgins. |
| Mr. Hamilton. | Mr. Liddell. |
| Sir J. Anderson. | Mr. M. Milnes. |
| Mr. Meagher. | Captain Scobell. |
| Sir T. Herbert. | |

Mr. *Delany Finch*, examined.

[Adjourned to Tuesday, at Half-past Twelve o'clock.

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*Martis*, 4° *die Aprilis*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. F. Peel. | Mr. Higgins. |
| Mr. Meagher. | Sir T. Herbert. |
| Sir J. Anders. | Mr. C. Fortescue. |
| Mr. Liddell. | Captain Scobell. |

Captain *F. W. Beechey*, R.N., and Captain *W. H. Walker*, examined.

[Adjourned to Thursday, at Half-past Twelve o'clock.

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*Jovis*, 6° *die Aprilis*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. Meagher. | Mr. M. Milnes. |
| Mr. Liddell. | Mr. Fagan. |
| Captain Scobell. | Mr. Hamilton. |
| Mr. F. Peel. | |

Committee deliberated.

Motion made, and Question, "That the Chairman do report the evidence taken before the Committee to The House; and do move for power to report the same, from time to time, to The House" (Mr. *Liddell*), put, and agreed to.

Evidence ordered to be reported.

Dr. *George Douglas*, Mrs. *Caroline Chisholm*, and Captain *Schomberg*, R.N., examined.

[Adjourned to Thursday, 4th May.

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*Jovis*, 4° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Liddell. | Sir J. Anderson. |
| Mr. M. Milnes. | Mr. V. Smith. |
| Mr. Hamilton. | Mr. F. Peel. |
| Captain Scobell. | Mr. Hankey. |
| Sir T. Herbert. | Mr. Fortescue. |

Captain *Schomberg*, R.N., further examined.

[Adjourned to Tuesday, at Half-past Twelve o'clock.

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*Martis*, 9° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Liddell. | Sir G. Anderson. |
| Mr. Hamilton. | Mr. M. Milnes. |
| Mr. Fagan. | Sir T. Herbert. |
| Captain Scobell. | Mr. Hankey. |

Mr. *Henry Watson*, and Mr. *T. M. Murdoch*, examined.

[Adjourned to Friday next, at Twelve o'clock.

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*Veneris*, 12° *die Maii*, 1854.

MEMRERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. Peel. | Captain Scobell. |
| Mr. Hamilton. | Sir J. Anderson. |
| Mr. F. Peel. | Mr. Hankey. |
| Mr. M. Milnes. | Sir T. Herbert. |
| Mr. Liddell. | Mr. Fagan. |

Mr. *John Ryan*, Mr. *Samuel Sidney*, Sir *William Pym*, and Mr. *Richard Monckton Milnes*, a Member of the Committee, examined.

[Adjourned to Thursday next, at Half-past Twelve o'clock.

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*Jovis*, 18° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Peel. | Mr. Hamilton. |
| Mr. Fagan. | Mr. M. Milnes. |
| Mr. Vernon Smith. | Mr. Hankey. |
| Sir T. Herbert. | Sir J. Anderson. |
| Captain Scobell. | Mr. Liddell. |

Mr. *John Duross*, and Mr. *John Besnard*, examined.

[Adjourned to Tuesday, at Half-past Twelve o'clock.

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*Martis*, 23° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. J. O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Liddell. | Mr. Hamilton. |
| Captain Scobell. | Mr. Fagan. |
| Sir J. Anderson. | Sir P. Herbert. |
| Mr. Peel. | Mr. Hankey. |

Mr. *John Besnard*, and Mr. *Samuel William Richards*, examined.

[Adjourned to Thursday, at Half-past Twelve o'clock.

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*Jovis*, 25° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. F. Peel. | Sir Thomas Herbert. |
| J. Anderson. | Mr. M. Milnes. |
| Captain Scobell. | Mr. C. Fortescue. |

[Adjourned to Monday next, at Half-past Twelve o'clock.

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*Lunæ*, 29° *die Maii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

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|---|---|
| Mr. Liddell. | Mr. F. Peel. |
| Captain Scobell. | Mr. Hankey. |
| Sir J. Anderson. | Sir T. Herbert. |

Mr. *John Edwards*, Mr. *John W. Hyde*, and Captain *Robert Kerr*, R.N., examined.

[Adjourned to Thursday, at Half-past Twelve o'clock.

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*Jovis*, 1° *die Junii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. F. Peel. | Mr. Liddell. |
| Captain Scobell. | Mr. Hankey. |
| Mr. Hamilton. | Mr. M. Milnes. |

Mr. *William Watson*, examined.

[Adjourned to Monday week, at Half-past Twelve o'Clock.

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*Lunæ*, 12° *die Junii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Vernon Smith. | Sir J. Anderson. |
| Mr. F. Peel. | Mr. M. Milnes. |
| Mr. Liddell. | Sir T. Herbert. |
| Captain Scobell. | |

Captain *Michael de Courcy*, R.N., examined.

[Adjourned to Thursday, June 22, at One o'clock.

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*Jovis*, 22° *die Junii*, 1854.

MEMBERS PRESENT:

Mr. JOHN O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Peel. | Sir Thomas Herbert. |
| Mr. Liddell. | Mr. Higgins. |
| Sir J. Anderson. | Mr. G. A. Hamilton. |
| Mr. Monckton Milnes. | Mr. Hankey. |
| Captain Scobell. | Mr. Vernon Smith. |

Draft Report, proposed by the Chairman, read 1°.

Committee deliberated.

[Adjourned to Friday, June 30th at Half-past Twelve o'clock.

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*Veneris*, 30° *die Junii*, 1854.

MEMBERS PRESENT:

Mr. J. O'CONNELL, in the Chair.

| | |
|---|---|
| Mr. Liddell. | Mr. Fagan. |
| Mr. Peel. | Mr. Higgins. |
| Captain Scobell. | Mr. G. A. Hamilton. |
| Sir Thomas Herbert. | Mr. Vernon Smith. |
| Sir James Anderson. | |

The Committee further deliberated as to the Draft Report.

[Adjourned to Tuesday, June 4th, at Half-past Twelve o'clock.

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*Martis, 4° die Junii, 1854.*

MEMBERS PRESENT:

Mr. J. O'Connell, in the Chair.

| | |
|---|---|
| Sir T. Herbert. | Mr. Liddell. |
| Mr. Peel. | Mr. Hankey. |
| Captain Scobell. | Mr. Milnes. |
| Mr. Higgins. | |

Draft Report read 2°, and considered paragraph by paragraph.

Several paragraphs read, amended, and agreed to.

Paragraph, page 9, "Some of the nautical witnesses have spoken strongly in favour," &c., read.—Amendments made.—Amendment proposed after the words "training of boys in time," to insert the words, "The great diminution in the aggregate number of apprentices in the merchant shipping, which, by a recent Return, No. 233, to your Honourable House, has diminished from 31,636 in 1850, to 13,826 in 1854. This reduction in the number of apprentices is strikingly exemplified in a Return on Emigrant Ships, dated 11 February 1853, No. 113, which shows that of 414 emigrants vessels which sailed from the ports of Liverpool, Glasgow, and Plymouth in 1852, 351 of these vessels had not any boy or apprentice on board." (*Captain Scobell*).—Question put, "That those words be there inserted."—The Committee divided:

| Ayes, 2. | Noes, 4. |
|---|---|
| Sir T. Herbert. | Mr. Peel. |
| Captain Scobell. | Mr. Liddell. |
| | Mr. Higgins. |
| | Mr. Hankey. |

Paragraph, as amended, agreed to.

Other paragraphs amended, and agreed to.

Motion made, and Question, That the following words, "Your Committee have received evidence on the propriety of including Bristol among the Government emigration ports. This subject is not strictly within the terms of their appointment, and they therefore only state the fact, that there is no such port between the distant points of Plymouth and Liverpool," (Captain *Scobell*), be added to the proposed Report, put, and negatived.

Report, as amended, agreed to.

Ordered to Report, together with the Minutes of Evidence.

# EXPENSES OF WITNESSES.

| NAME of WITNESS. | PROFESSION or CONDITION. | By what Member of Committee Motion made for Attendance of the Witness. | Date of Arrival. | Date of Discharge. | Total Number of Days in London. | Number of Days under Examination by Committee, or acting specially under their Orders. | Expenses of Journey to London and back. | Expenses in London. | TOTAL Expenses Allowed to Witness. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | £. s. d. | £. s. d. | £. s. d. |
| Hutchinson | Lieutenant R. N. and Harbour-master of Kingstown. | Chairman | 22 March | 23 March | 2 | 2 | 5 – – | 2 2 – | 7 2 – |
| Sylvester Redmond | Editor | „ | 18 „ | 25 „ | 8 | 8 | 9 – – | 8 8 – | 17 8 – |
| William O'Doherty | M. D. | „ | 16 „ | 23 „ | 8 | 8 | 2 – – | 9 9 – | 11 9 – |
| Delany Finch | Not professional | „ | 25 „ | 30 „ | 6 | 6 | 9 – – | 6 6 – | 15 6 – |
| George Douglas | Medical Superintendent at Grosse Island. | Mr. F. Peel | 5 April | 7 April | 3 | 3 | 6 – – | 6 6 – | 12 6 – |
| Schomberg | Captain, Royal Navy | Chairman | 4 May | 5 May | 4 | 4 | 2 – – | 4 4 – | 6 4 – |
| James | Surveyor | Mr. F. Peel | 3 „ | 5 „ | 4 | 4 | 2 – – | 4 2 – | 6 2 – |
| Taylor | | Chairman | | | 3 | 3 | 10 16 – | 3 3 – | 13 19 – |
| John Ryan | Farmer | „ | 10 May | 12 May | 3 | 3 | 5 – – | 2 – – | 7 – – |
| Blackwell | M. D. | „ | 7 „ | 10 „ | 3 | 3 | 9 – – | 6 6 – | 15 6 – |
| John Duros | Constable, Cork Constabulary. | „ | 17 „ | 19 „ | 3 | 3 | 6 – – | 3 3 – | 9 3 – |
| John Besnard | Weighmaster of Cork | „ | | | 4 | 4 | 7 – – | 25 4 – and allowed for a deputy | 32 4 – |
| Samuel W. Richards | President of Latter Day Saints. | Mr. M. Milnes | 22 May | 24 May | 3 | 3 | 3 10 – | 6 6 – | 9 16 – |
| John Edwards | Shipowner | Capt. Scobell | 29 „ | 30 „ | 3 | 3 | 3 – – | 3 3 – | 6 3 – |
| John M. Hyde | Nautical Instrument-maker. | „ | 29 „ | 30 „ | 3 | 3 | 3 – – | 3 3 – | 6 3 – |
| Rt. Kerr | Captain, Royal Navy | Chairman | | | 3 | 3 | 7 10 – | 3 3 – | 10 13 – |
| M. de Courcy | Captain, R. N. Emigration Officer, Port of Queenstown. | „ | 10 June | 12 June | 3 | 3 | 9 – – | 3 3 – | 12 6 – |
| Friend | Captain, Royal Navy | „ | | | 2 | 2 | 1 1 – | 2 2 – | 3 3 – |
| | | | | | | | | £. | 201 13 – |

## LIST OF WITNESSES.

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*Martis*, 9° *die Maii*, 1854.

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Mr. Samuel Sidney - - - - - - - - - p. 57

Sir William Pym - - - - - - - - - p. 69

Richard Monckton Milnes, Esq., M. P. - - - - - p. 72

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Mr. John Edwards - - - - - - - - - p. 118

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# MINUTES OF EVIDENCE.

*Jovis*, 4° *die Maii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Captain Scobell. |
| Mr. Peel. | Sir Thomas Herbert. |
| Mr. Geo. A. Hamilton. | Sir James Anderson. |
| Mr. Hankey. | Mr. Vernon Smith. |
| Mr. C. Fortescue. | Mr. Liddell. |
| Mr. M. Milnes. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Captain *Schomberg*, R.N., again called in; and further Examined.

Captain *Schomberg*, R. N.

4 May 1854.

3283. *Chairman.*] YOU recollect the case of the "Fingal," Captain Black?—Yes.

3284. We have it in evidence before us that she was of 990 tons register, and had 1,100 tons of railway iron on board; is that considerably more than the proportion generally allowed?—Yes, a great deal. I will read, with your permission, a letter from Lieutenant Prior, first assistant Government emigration officer at Liverpool, who cleared the "Fingal."

3285. Is he under your orders?—Yes. "Government Emigration Office, Liverpool, 22d April 1854. Sir,—The ship 'Fingal,' John Black, master, cleared from this port on the 3d September 1853, with 290 souls, equal to 224 ½ adults, for Quebec; she had two ventilating funnels, and, I think, four hatchways, one of which was boarded up; two hospitals, one forward, the other aft on starboard side of lower deck, for females. Some of the cargo (iron) was stowed in a compartment between the fore and main hatchways, with a bulkhead at each end; the single men were berthed before it. This ship was detained one day to remove the female hospitals aft, and to rebuild the privies, and secure her boats, &c. She had a large number of single men. I have the honour to be, Sir, your obedient servant, *T. H. Prior*, Lieutenant, R.N., First Assistant Government Emigration Officer.—Captain Schomberg, R.N., Government Emigration Officer, Liverpool. Her cargo consisted of the following: coals, 100 tons; the rest of her cargo, carriage springs, tin, harness, rice, soda, soap, iron manufactured work, loose iron, nails, cutlery, crates, wheels, bellows, plates of iron. The whole weight of cargo, 772 tons, 8 cwt. 3 qrs. 19 lbs. The dead weight in this ship did not exceed the usual quantity carried by ships from this port; viz., two-thirds the registered tonnage." I have also a copy of the manifest, which I beg to lay before the Committee, which is as follows:

Captain *Schomberg*, R. N.

4 May 1854.

OUTWARD FREIGHT LIST, Ship "FINGAL," Captain *Black*, for Quebec.
Sailed 3 September 1853.

| | | | | | | TOTAL. | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | *Tons.* | *cwt.* | *qrs.* | *lbs.* | *Tons.* | *cwt.* | *qrs.* | *lbs.* |
| | 2 Boxes instruments. | | | | | | | | |
| [P. B.] | 97 Casks | 49 | 12 | 2 | 0 | | | | |
| ,, | 9,990 Railway chains | 52 | 0 | 2 | 17 | | | | |
| | | | | | | 101 | 13 | 0 | 17 |
| W. S. H. G. | 100 Boxes tin | 5 | 0 | 0 | 0 | | | | |
| | 500 Carriage springs | 11 | 15 | 1 | 0 | | | | |
| | | | | | | 16 | 15 | 1 | 0 |
| [R.] 104/27 | 24 Bundles spades. | | | | | | | | |
| | 2 Cases glass | 0 | 5 | 0 | 0 | | | | |
| 128/30. | 3 Bundles wire | 0 | 9 | 0 | 0 | | | | |
| 138. | 1 Cask hardware | 0 | 11 | 2 | 14 | | | | |
| | | | | | | 0 | 25 | 2 | 14 |
| [M.] | 50 Bags rice | 5 | 0 | 0 | 0 | | | | |
| ,, | 15 Casks soda | 5 | 6 | 0 | 7 | | | | |
| | 7 Casks glue | 1 | 0 | 3 | 14 | | | | |
| | 4 ,, putty | 1 | 0 | 0 | 0 | | | | |
| | 500 Boxes soap | 14 | 5 | 2 | 24 | | | | |
| | | | | | | 26 | 12 | 2 | 17 |
| | 100 Tons coals | 100 | 0 | 0 | 0 | | | | |
| [M.] R. | 73 Casks iron work | | | | | | | | |
| ,, W. | 3 ,, ,, | | | | | | | | |
| ,, C. | 2 ,, ,, | | | | | | | | |
| ,, P. | 3 ,, ,, | | | | | | | | |
| [M.] | 12 Bars | | | | | | | | |
| ,, C. | 2 Cases iron work | | | | | | | | |
| ,, | 160 Draw bars | | | | | | | | |
| ,, C. T. | 1 Case iron work | 71 | 8 | 0 | 13 | | | | |
| ,, C. B. | 3 ,, ,, | | | | | | | | |
| ,, C. S. | 1 ,, ,, | | | | | | | | |
| ,, C. W. | 13 ,, ,, | | | | | | | | |
| [M.] | 48 Bars iron | | | | | | | | |
| ,, | 12 Coils chain | | | | | | | | |
| ,, W. | 53 Cases iron work | | | | | | | | |
| P. B. B. S. & H. G. & R. | 4 Double crab cranes | 1 | 3 | 1 | 20 | | | | |
| ,, | 2 Groove pullies | | | | | | | | |
| | | | | | | 172 | 11 | 2 | 5 |
| P. B. B. W. S. | 20 Bundles shovels | 0 | 14 | 0 | 24 | | | | |
| G. & R. | 1 Box cutlery | | | | | | | | |
| C. N. C°. W. R. | 100 Bags nails | 4 | 13 | 1 | 10 | | | | |
| P. B. B. I. C. G. R. | 100 ,, | 5 | 0 | 0 | 0 | | | | |
| P. B. B. W. S. G. R. | 1 Case iron work | 0 | 1 | 0 | 0 | | | | |
| P. B. B. T. B. G. R. | 2 Cases harness | 0 | 12 | 0 | 0 | | | | |
| P. B. B. H. P. & S. | 4 Weighing machines | 0 | 11 | 0 | 22 | | | | |
| | | | | | | 11 | 11 | 3 | 0 |

| —— | —— | —— | TOTAL. |
|---|---|---|---|
| | | *Tons. cwt. qrs. lbs.* | *Tons. cwt. qrs. lbs.* |
| P. B. B. T. A. Q. R. | 6 Purchase crabs - - - | | |
| „ | 12 Handles for ditto - - - | 1 16 1 26 | |
| „ | 300 Barrow wheels - - - | 2 12 3 2 | |
| Q. | 4,330 Bars, 284 Bundles } Bar iron - - | 86 19 2 0 | |
| P. B. B. R. C. | 2 Chaff machines - - - | 0 14 0 0 | |
| „ | 252 Iron wheels - - - | 41 2 3 16 | |
| | | | 133 5 2 16 |
| P. B. B. | 1 Cask harness - - - | | |
| „ C. W. E. G. R. | 1 Basket vices - - - | 0 14 1 24 | |
| P. B. B. M. A. G. R. | 117 Bundles steel - - - | 8 16 2 11 | |
| | 1 Cask files - - - - | 0 5 2 0 | |
| D. 1 & 2. | 3,602 Bars, plates, and bundles iron | | |
| | 34 Casks rivets - - - | | |
| | 10 Pair bellows - - - | | |
| | 14 Co. iron work - - - | 298 16 2 26 | |
| | 10 Bellows frames - - - | | |
| | 2 Smiths' hearths - - - | | |
| | 1 Rivet block - - - | | |
| | 1 Anvil - - - - | | |
| | | | 308 13 1 5 |
| | TOTAL - - - | *Tons* | 772 12 0 18 |

I have here also two letters, one from the owners, and one from the captain of the "Fingal."

3286. Read the letter from the owners?—Yes. "Liverpool, 19th April 1854. Captain Schomberg, R.N. Sir,—The Committee on Emigration may probably ask you some questions as to our ship 'Fingal.' Last spring Lloyd's surveyors continued the vessel for two years on the A 1 class, after a most rigid survey and complete exposure of the ship's frame, plank, and fastenings. The Government surveyors followed them in an equally strict scrutiny. The cargo of the 'Fingal' was 772 tons, according to the manifest, which we enclose. The register of the ship was 929 tons. Extreme care was taken in the stowage of this cargo by raising up the weight in the vessel so as to cause an equal balance. The proof of this care was shown in the fact that the vessel made her voyage without any loss, after encountering the two dreadful hurricanes of last September and October. The passengers were in three distinct compartments or sections, as follows:—A number in the large poop; a number between decks aft, separated by a bulkhead at the mainmast; a number between decks forward, separated by another bulkhead. These bulkheads were right across the ship, and had a vacant space between them of fully 50 feet. The ventilating funnels were placed through the poop into the between decks, and through the topgallant forecastle. These were of large size, and as the planking of the bulkheads did not come quite up to the deck, a good ventilation existed from one end of the vessel to the other. The hospitals were fitted up one forward and the other aft, properly partitioned off. The ship had two boats fitted up as lifeboats, and was fully supplied with the remaining boats; life buoys, signal rockets, and all the requisites according to law. Her height between decks was very good, and in every respect she was a roomy ship with an unincumbered deck. The berths and deck houses were put up in the usual manner; but when ships are losing their masts and spars during a hurricane, it is not impossible that some of the emigrant fittings would give way. The customary price without any abatement was given to a respectable man for supplying the emigrants, and we have no doubt this person can prove by his accounts that he paid the market rate for good provisions. Captain Black has been for nearly 20 years engaged

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in the passenger trade, and is not surpassed by any shipmaster in Great Britain for the healthly state in which he has always landed his passengers. We enclose a testimony to his merit from George Pemberton, Esq., late member of the Honourable Legislative Council of Canada, and head of the highly respectable firm of William Pemberton & Co., London. Last year Captain Black took out 328 adults in the 'Fingal' to New York, and although the ship's rudder and head were destroyed in a violent storm, yet he landed every soul, and obtained from the British Consul high credit for his conduct and ability. When cholera breaks out on board, we cannot be surprised that a shipmaster finds himself unable to check a disease, which baffles the highest skill on shore; and when you consider the man's position, having to contend with most tempestuous weather without, and cholera within his ship, you will allow that his duty was harassing and severe in the extreme. It is easy for people on shore to talk about cleanliness among emigrants, but after making a voyage with them, they would understand their filthy habits, and know the disagreeable duty which devolves on the ship's officers of enforcing merely partial purification. We lately had the pleasure of receiving through you a very complimentary account from the authorities in Melbourne of our ship 'Australia.' The ventilation, cleanliness, and great care taken with the emigrants were all highly praised. More recently another vessel of ours, the 'City of Manchester,' was also brought before the favourable notice of the Commissioners; Captain Lean then stated, that on not one occasion had we made the least opposition to his wishes. We could mention other cases, but consider the two above-named to be sufficient; and we leave it to men of sense to decide how far the statements of inexperienced persons are to be placed in opposition to the evidence of Government officers and shipowners of undisputed respectability. We remain, sir, your obedient servants, *Brook & Worthington*, pro *L. D. Brook*." This letter was sent to me, at the owners' request, to read to the Committee. All I can say for Messrs. Brook & Worthington is, that the "Australia" was fitted up under my superintendence as Government emigration officer at Liverpool, and I considered her very complete in every way, and my wishes were fully attended to.

3287. Is their any statement in your officer's report in contradiction of what Mr. Finch says, the question being put to him more than once, that there was no separation between the sexes?—Yes, most distinctly the officer states it; I will tell you why; we never pass a ship at Liverpool, if my orders are observed, without a solid bulk head is placed to partition the cargo from the people, so that it was not a common bulkhead, it was a solid one.

3288. But with regard to the separation of the sexes?—That exactly did separate them; they had nothing but single men before the cargo, and the married people and single women were abaft the cargo.

3289. Then how is the cargo stowed?—The cargo would be stowed within two feet of the upper deck, which is allowed by law.

3290. Mr. *Liddell.*] Does this letter from the owners state that there was any medical officer on board?—There was none.

3291. Then that fact stands uncontradicted?—We cannot put a medical officer in; the law does not provide for such a thing; she was not obliged to carry a medical officer.

3292. Dr. Douglas states, that there was a place set apart on board the "Fingal" for a hospital, but the arrangements were not good, nor were they able to receive any medical attendance in consequence of not having a medical man on board?—Precisely; she was not compelled by law to carry one, therefore the captain had to do the work; the owner says as much in his letter.

3293. It is also stated in the evidence before us, that the mismanagement of the passengers when taken with cholera was so marked, that in many cases they received Epsom salts?—I wish to read the captain's letter upon that point. "Liverpool, 17 April 1854. Sir,—I have, with great surprise, seen Mr. Finch's statements against me, and my ship the 'Fingal;' they are totally false, and everyway untrue. I am probably one of the oldest captains in the passenger trade out of Liverpool, and I will let my employers speak as to my character. Finch made his first voyage with me, although he falsely stated the contrary. The ship was properly bulkheaded off. The usual log-book was kept. I had twice or three times to warn this man, that I would turn him out of the cabin if he mixed so much with the passengers below. He was a dissipated character. He quarrelled with the steward, because the latter would not be allowed by me

to

Captain *Schomberg*, R.N.

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to sell him whiskey. More than twice he was tipsy during the voyage. His statement as to Epsom salts and castor oil being given by me for cholera, is a downright falsehood; my medicine chests were ample for the ordinary requirements of emigrant vessels. The food was good and sufficient; it lasted during an unusually long voyage. I beg finally to say, that the evidence of this man Finch is undeserving of credit. I remain, Sir, your obedient servant, *John Black*, late ship 'Fingal.'—Captain Schomberg, R.N., Emigration-office."

3294. *Chairman.*] Have you seen the evidence of Dr. Douglas, to which reference has just been made? In answer to Question 2830, "Did you remark the arrangements below for the accommodation of the sexes; was there a proper provision for the separation of the sexes?" he said, "It is not usual to have that in vessels from any port except London." He was then asked, "You have not seen it on board the vessels?" to which his answer was, "It is not usual in the Irish vessels; I am not positive; but I never observed it, except in vessels from the port of London. 2832. You have not seen it in vessels from Liverpool?—I think not; I think it is not general. 2833. And your experience extends over 18 years?—Yes." Dr. Douglas' evidence is that, generally speaking, vessels from Liverpool have not that separation between the sexes?—I cannot make my oath to it, but I may say positively, that no officer under my immediate command would disobey an order; so that I must either think Dr. Douglas does not look through the ships so closely when they get out, or the thing is taken down, It is either one or the other. I am positive that the ships do not leave Liverpool in that state. Any man can designedly knock these things away, which is done repeatedly; and whenever the matter has come before me I have prosecuted the captain, and will do it again in every instance.

3295. You stated in your former evidence that these were louvred bulkheads; that is, open work?—Yes.

3296. And that there was no difficulty in seeing the parties on either side?—No; I think it certainly could be seen through.

3297. So far, for the purpose of decency, the regulation is not strong enough?—If the object was to see through it, no doubt it could be seen through, but I think the advantages of a louvred bulkhead more than compensate for the disadvantages of seeing through; by having a solid one you would impede the ventilation very materially.

3298. By having a space of a couple of inches from the upper deck, and perhaps holes below, ventilation might be supplied, or there might be tubes through the bulkheads?—Extra ventilation would have to be cut in the ship; nothing can be more detrimental to ventilation than solid bulkheads, even a chain locker; nothing impedes the circulation of air so much.

3299. There mght be other means of ventilation?—No doubt; it would cause the shipowner great inconvenience if that was cut.

3300. Captain *Scobell.*] You say nothing can be more injurious to ventilation than a solid bulkhead?—Yes.

3301. On the other hand, nothing can be more opposite to decency than a louvred bulkhead where the sexes can see each other?—Then I think under these circumstances, as the married men live with these women, if it is mere decency alone, something more efficient must be done; because the married men and their wives sleep over each other, and there can be no difficulty in seeing. Therefore, if these single men are the only objectionable people to look at women, I think some other remedy much more efficient must be gone into; nothing but cabins for everybody would do, which would be very much more expensive for the shipowner.

3302. It has been given in evidence that there was only a louvred bulkhead between the single men and single women, through which they could see each other distinctly?—No. I think the single women are usually berthed right aft, and the single men are usually berthed right forward.

3303. In one particular instance it was stated they were both forward, and there was a louvred bulkhead which was so insecure that they absolutely went together as they pleased?—That is a point upon which I could not give an opinion one way or other; I could not say whether any intercourse of that kind did take place; I think every remedy is taken to prevent such intercourse taking place, by berthing the single women right aft and the single men right forward.

3304. But you cannot be sure that in every instance that has been carried out?—I could not answer on affidavit upon it, but such is the usual system; still

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still the married men and married women have a louvred bulkhead only between them and the single men.

3305. Would it be a good regulation that all emigration ships should, as a matter of obligation, have the single women at one end of the vessel and the single men at the other, making it the rule, so that it should be invariable?—Yes, I think it would, except in the case where a man may have his daughter on board, and may wish to have her with him. Those are exceptions, generally speaking.

3306. *Chairman.*] With reference to the "Annie Jane," Captain Beechey, in his Report, speaks strongly about the heavy cargoes; and the master of the vessel, to whose evidence he refers, states the following, in answer to Question 1705, page 61: "Do you consider an iron cargo to be a safe one to carry with passengers?—Not when the iron is in large quantities, as it makes the ship labour, and cannot be carried high on account of the space being required for the passengers, and there is great danger to the lives of all on board in case of the ship's springing a leak. Besides which, without deals in the wings of the hold, the iron cannot be carried sufficiently high to make her easy. 1706. In taking an iron cargo at Liverpool, can you arrange the stowage of it according to what you conceive would be essential to make the ship easy at sea?—It sometimes happens that the cargo which I engage to have first does not come down to appointment, and I am obliged to take other goods that are ready. The ship is advertised to sail on a given day, and she must go. The brokers insist upon your taking what there is; and I have sometimes had occasion to remonstrate against the ship being overloaded, and have threatened to leave if it was not remedied. The 'Admittance' was obliged to put back to Londonderry leaky, while I was on my outward passage, to discharge some of her iron, being too deeply laden. 1707. Have you not some control over the stowage, so as to urge upon the broker what you conceive to be right and beneficial to the ship?—I must do the best I can with the cargo as it comes down; I am told that the ship must go on such a day, and if I do not do the best I can to get the cargo in by that time, I may perhaps be thrown out of employment in consequence. 1708. Do you not think that such a practice should be remedied?—I do; and I believe it to be the opinion of all captains that I am acquainted with, especially in passenger ships. 1709. What would you suggest as a remedy?—I would suggest that an officer be licensed to superintend the stowage of such ships, so as to regulate the disposal of iron and all heavy goods, and more especially in the case of passenger ships." That is now done?—Yes.

3307. "1710. Are not the fittings of ships which take passengers generally of a very temporary kind?—Yes, and they frequently come down with the rolling of the ship after being a few days at sea; and I would recommend the adoption of the plan carried out in American ships, of having iron bedsteads suspended from the beams, both for ventilation and cleanliness and security. The water-closets, also, should be of a more permanent character, and those for the women built solid, either upon the lower or upper deck. It is quite distressing to see the women at sea endeavouring to make use of the water-closets usually provided, at times getting drenched with the sea rather than be exposed to the crew, and frequently making use of the lower deck as an alternative." Are you aware of the regulations here referred to, in American ships?—Yes.

3308. Do you think the law is sufficiently strong in those respects at present, or that it is necessary to strengthen your hands to enforce them?—I think the water-closets might be improved by being made stronger on deck; but I am of opinion that water-closets below would make the ships perfectly pestiferous. In the Government ships, over which I have superintended for some 18 months, I have found them universally the greatest nuisance and difficulty we have to deal with; so much so, that I have made frequent representations to the Commissioners to beg they would do away with them. Lately the two middle water-closets have been done away with, and there is one only on each side; the aft one for the use of the hospital, and one for the use of the single females. The difficulty of cleanliness to a class of people totally unacquainted with the mechanism of a water-closet is very great; but I do not consider it the only objection, as I find they are constantly overflowing and wetting the deck, which causes sickness, the piping frequently giving way; and where ships are not very strongly built, the great length of piping that is required from the fore end

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of the ship to the after part, where the main tank would have to be placed, would cause a great probability of the pipe breaking by the working of the ship, which would cause serious inconvenience. I have also found, from the medical reports, that the sickness in Government ships usually takes place among those people berthed near the water-closets; and I think that, without a much more severe course of discipline can be adopted, the advantages of having water-closets below would not be near so much as the disadvantages.

3309. Captain Beechey, in the 6th page of his Report, speaks about the disgraceful condition of the vessel from the temporary nature of the water-closets. What kind of water-closets do you recommend; what improvement would you recommend to ensure that they should not so easily give way?—They should be made of stouter materials.

3310. What part of the upper deck would you put them on; the bows are constantly exposed to the sea breaking over them?—We always, in the Government ships, put two aft for the females at the break of the quarter-deck, and two for the men forward. The Americans usually have them built into the ship forward, but we have never forced them to have them aft.

3311. Mr. *Hamilton.*] Do you consider that you have the power?—No, we have not, if they have the legal number.

3312. *Chairman.*] Do you not think, if one of the passenger stewards was appointed to go round the closets between decks to see that the water was drawn off, and not allowed to overflow, that a great many of the mischiefs of which you speak attending health between decks might be avoided?—In a Government ship, a surgeon is appointed to look after the discipline as well as the health of the ship. Under him are appointed so many constables, according to the number of the passengers; and with this course of discipline, and the power of the surgeon, we do not find it succeed well. I have been six years commander of a line-of-battle ship, and three years first lieutenant of a ship where gentlemen only use water-closets; and from my own experience I have found considerable difficulty in keeping them pure and sweet.

3313. Captain Beechey further recommends, at page 7 of his Report, "Whenever the clearing officer has any good reason to suspect the stability of the fittings, or the stowage of the cargo, or even the efficiency of the crew, either from their ignorance of the language or from any other cause, he be directed to refuse a clearing certificate;" and he bases his recommendation on the evidence taken as to the "Annie Jane." Who was your officer that examined her?—Lieutenant Prior, my first assistant.

3314. You made no personal examination?—Yes, I was personally on board of the "Annie Jane," and examined her after she returned.

3315. Did you examine the fittings and the bulkheads?—She had the usual bulkheads when I was on board.

3316. Did they appear to you to deserve the description Captain Beechey gives of them; very temporary and slight in their nature?—No, not unusually so; it did not come under my observation that they were particularly stout.

3317. Mr. *Liddell.*] If you state, as a captain of a man-of-war, that you have found it impossible, with the very limited use of water-closets by gentlemen on board a man-of-war, to keep them sweet and pure, the Committee must infer that it is impossible to keep them so on board emigration ships?—I positively give it as my opinion, that if you put water-closets between decks of the American ships that are carrying out a mass of the lower population, you will increase disease immensely. That is my opinion, and I attribute the health of the Australian private emigration ships greatly to not having water-closets between decks.

3318. *Chairman.*] In having the water-closets on the upper deck for the use of the passengers, would it not be better to have them aft instead of in the bows of the vessel, in the manner you spoke of just now?—For some months at Liverpool, in nearly all Australian ships, we have had two aft for females; but as the American ships have had them permanently built forward, we have not insisted on their putting them aft.

3319. British ships have not had them permanently built?—No; in one instance the "Guiding Star" returned with cholera on board, and I found the captain had pulled down the after water-closets which I had directed to be set up, for which I took him before a magistrate, and he was fined 5*l.*

3320. Mr. *Liddell.*] When the "Marco Polo" took Government passengers, did you see her before she quitted Liverpool?—No.

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3321. It has been suggested that she had water-closets between decks, and that they were a perfect nuisance to all on board, so that they had to be removed when she returned; do you confirm that?—Yes, quite; it is a great disadvantage, decidedly.

3322. Captain *Scobell.*] You stated that the arrangements in the Emigration Commissioners ships were, that there should be water-closets in a given position for the men, and other water-closets for the women; could not that be rigidly carried out in all vessels?—Yes, it could.

3323. It is not so now?—It is not so for the reason I gave; the American ships have them permanently built, and it is considered rather a pressure on people, when they have them built, to make them put up others aft.

3324. They would not have to remove those forward, but put up additional ones?—The great objection is, that the captain would be obliged to have this annoyance under his nose or eyesight.

3325. But for the women, you think they should be put aft?—I think it would be a very great advantage; and for this reason, that, being close to the captain, they would be certain to be kept in order.

3326. Do you see any objection why all the fixed arrangement of the emigrant ships under the Commissioners should not be carried out in ordinary emigrant ships?—It would greatly increase the expense.

3327. Would that be the only objection?—I can see no objection beyond that; but when the Government is paying a large sum of money, as much as 24*l.* or 25*l.* each emigrant, I do not think the poorer class of people, for whom I suppose emigration was started, could very easily leave the country.

3328. But still as health is, in fact, the principal object in emigration, even if it were to cause some additional payment, and to be the means of checking emigration, yet it would be wiser than letting them go to sea with unhealthy arrangements?—Yes, but I do not think they go to sea with any unhealthy arrangements now. I am not of that opinion. The statistics I gave in on the last occasion showed that even in the sickly season the mortality to America was only 2·11. And in the previous six months 66,247 people went out, and there were only 236 deaths, making 1·19 per cent. Those were taken out in 141 ships. I should beg to hand in the following document to confirm that statement:—

**MORTALITY** in Ships which cleared for New York between 1 January and 30 June 1854.

| Date of Clearance. | SHIPS. | Souls Embarked. | Deaths. | Date of Clearance. | SHIPS. | Souls Embarked. | Deaths. |
|---|---|---|---|---|---|---|---|
| January 1 | Kossuth | 271 | – | March 1 | Kate Hunter | 324 | 2 |
| „ 3 | Jacob A. Westworlt | 414 | – | „ – | Andrew Foster | 526 | – |
| „ 5 | Constantine | 282 | 2 | „ 3 | Fidelia | 388 | – |
| „ – | Montezuma | 118 | – | „ – | George Washington | 685 | 2 |
| „ 8 | Excelsior | 148 | – | „ 7 | Vanguard | 416 | 1 |
| „ 14 | Albert Gallatin | 258 | – | „ 10 | Progress | 620 | 2 |
| „ – | Garrick | 137 | – | „ – | Fingal | 301 | – |
| „ 15 | De Witt Clinton | 241 | 1 | „ 11 | Universe | 520 | – |
| „ – | Waterloo | 140 | – | „ 14 | Forest King | 545 | 4 |
| „ 18 | Isaac Wright | 396 | – | „ 15 | Compromise | 283 | – |
| „ 24 | Golconda | 449 | – | „ 16 | Screamer | 390 | – |
| „ 25 | American Union | 259 | – | „ – | Constitution | 656 | 3 |
| „ 26 | Winfield Scott | 403 | – | „ – | Yorkshire | 421 | – |
| „ 29 | Essex | 343 | – | „ 17 | Underwriter | 641 | – |
| February 1 | Orient | 660 | – | „ 19 | William Hitchcock | 247 | – |
| „ 2 | Columbia | 482 | – | „ 22 | Hemisphere | 441 | 1 |
| „ 4 | Centurion | 79 | – | „ – | Silas Greenman | 405 | 3 |
| „ 7 | Queen of the West | 496 | 1 | „ 23 | Siddons | 422 | 2 |
| „ 11 | Australia | 712 | – | „ 24 | Cornelia | 429 | 10 |
| „ 14 | Sheridan | 401 | 1 | „ 26 | John Hancock | 333 | 2 |
| „ – | Constellation | 868 | 4 | „ – | Ashburton | 423 | – |
| „ 16 | Star of the West | 461 | – | „ 28 | Robert Kelly | 558 | – |
| „ 22 | William Rathbone | 369 | – | „ 30 | Midas | 321 | 2 |
| „ 23 | Henry Clay | 645 | – | April 1 | Empire State | 664 | 6 |
| „ – | Manhattan | 725 | 3 | „ – | Leviathan | 646 | 7 |
| „ 24 | New World | 623 | 4 | „ 2 | Chimborazo | 412 | 1 |
| „ 25 | Conqueror | 424 | – | „ – | Great Western | 830 | 1 |

| Date of Clearance. | SHIPS. | Souls Embarked. | Deaths. |
|---|---|---|---|
| April 2 | Continent | 562 | 4 |
| „ 5 | Caroline Nasmyth | 298 | – |
| „ 7 | America | 512 | 3 |
| „ – | Houghton | 391 | – |
| „ – | Liverpool | 507 | – |
| „ – | Enterprise | 312 | 1 |
| „ 8 | Commerce | 616 | 12 |
| „ – | Union | 228 | – |
| „ 9 | John and Lucy | 440 | – |
| „ 12 | Ariel | 500 | 4 |
| „ 13 | Rappahannoch | 607 | 2 |
| „ – | James Wright | 443 | – |
| „ 14 | Marshfield | 356 | – |
| „ 15 | Western World | 740 | – |
| „ 18 | Emma Fields | 457 | 3 |
| „ – | Isaac Webb | 756 | 1 |
| „ – | Western Empire | 781 | 9 |
| „ – | J. T. Rodgers | 229 | 2 |
| „ – | Samuel Badger | 443 | – |
| „ 19 | Empire Queen | 295 | 5 |
| „ 20 | Narragansett | 211 | – |
| „ 21 | Roscius | 439 | 2 |
| „ 22 | Lucy Thompson | 831 | – |
| „ – | Benjamin Adams | 637 | 3 |
| „ 23 | Agnes Leeds | 298 | – |
| „ 25 | Dorcas Prince | 265 | 2 |
| „ – | Iowa | 368 | 2 |
| „ – | Constantine | 617 | – |
| „ 27 | J. Z. | 258 | – |
| „ – | Lady Franklin | 533 | 2 |
| „ 28 | Saratoga | 661 | 1 |
| „ 29 | Rochambeau | 432 | – |
| May 2 | Excelsior | 579 | – |
| „ – | Montezuma | 407 | – |
| „ 6 | Arctic | 544 | 2 |
| „ 7 | New York | 362 | 4 |
| „ – | Washington | 958 | – |
| „ 9 | Albert Gallatin | 805 | 2 |
| „ – | Joseph Walker | 708 | 2 |
| „ 10 | Kossuth | 593 | – |
| „ – | William Tapscott | 874 | – |
| „ – | Fitz James | 543 | – |
| „ 13 | Cornelia | 429 | – |
| „ – | Waterloo | 369 | – |
| „ 14 | Garrick | 340 | – |
| May 14 | Centurion | 376 | – |
| „ 16 | Roderick Dhu | 527 | 3 |
| „ 18 | Isaac Wright | 509 | – |
| „ 23 | David Cannon | 583 | – |
| „ – | Antarctic | 551 | 3 |
| „ – | Jacob A. Westworlt | 724 | – |
| „ 25 | Australia | 736 | 2 |
| „ – | Oregon | 330 | – |
| „ – | Star of the West | 462 | 3 |
| „ – | American Union | 693 | – |
| „ 28 | Edward Stanley | 572 | 4 |
| „ – | De Witt Clinton | 608 | 4 |
| „ – | Sumreo | 397 | – |
| „ 31 | Golden Age | 569 | 2 |
| June 2 | Johan Lange | 225 | – |
| „ 3 | Columbia | 453 | 20 |
| „ 7 | Balmoral | 471 | – |
| „ – | Constellation | 840 | 25 |
| „ 8 | Queen of the West | 554 | 4 |
| „ – | Princeton | 475 | 1 |
| „ 9 | Orient | 850 | 2 |
| „ – | A. Z. | 337 | 1 |
| „ – | Hibernia | 371 | 2 |
| „ – | Shannon | 387 | – |
| „ 11 | Sheridan | 432 | – |
| „ 15 | Ohio | 360 | – |
| „ – | Phœnix | 348 | – |
| „ 16 | Greenfield | 198 | – |
| „ – | Jane | 345 | – |
| „ 17 | Fidelia | 411 | 21 |
| „ 18 | Mongolia | 333 | – |
| „ – | Philanthropist | 356 | – |
| „ 20 | Jane E. Welsh | 218 | – |
| „ – | Richard Morse | 381 | – |
| „ 22 | Universe | 569 | – |
| „ 23 | Henry Clay | 650 | 1 |
| „ – | New World | 727 | 2 |
| „ – | Jessie Munn | 353 | – |
| „ – | St. Patrick | 555 | – |
| „ – | Underwriter | 659 | 3 |
| „ – | Jersey | 293 | – |
| „ – | E. Z. | 274 | – |
| | TOTAL | 66,247 | 236 |

The ships enumerated, amounting to 141, are the only ones from which returns have been made, but 10 others cleared during the same period with 3,464 passengers; these were almost all small ships, and it is not probable that the mortality in them exceeded the average of the others. If this be assumed, the number of deaths in them would amount to 12, making the total deaths in the first six months of 1853 amount to 248 out of 69,711 souls embarked; or about 0·35 per cent. If, however, the whole year be considered together, it will be found to be 1,580 deaths out of 132,246 souls, or 1·19 per cent.

3329. *Chairman.*] Still, 248 being a large number, it would be advisable to diminish those deaths, if possible?—If you could; but I do not think you could find any community on shore, in any part of the world, where there would be less.

3330. In the same short space of time, less than five months?—I think not.

3331. Captain *Scobell.*] Do you think the precautionary arrangements that are taken in the Emigration Commissioners' vessels unnecessary?—No; I think they are very advantageous.

3332. If they are advantageous in the one, why should they not be advantageous in the other?—I think they would be advantageous.

3333. Mr. *Hamilton.*] The 22d section of the Passengers' Act enacts, "That no passenger ship shall clear out or proceed to sea, unless fitted to the satisfaction of the emigration officer at the port of clearance, with at least two privies."

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Does not that give sufficient power to the emigration officer to insist on what he considers proper water closets on deck or between decks?—Yes, I think so; not between decks, but on deck.

3334. Have you not the power of insisting that the water-closets on deck shall be permanently fitted up, so as not to be destroyed by accident?—We have never built them in the structure of the ship. As the ship only takes passengers out, all those fittings are taken down at the end of the voyage, and, of course, they are not permanently built; but they are built in the opinion of the emigration officer sufficiently strong for the purpose for which they are intended. Ships are detained repeatedly for that purpose.

3335. Do we not frequently hear that after a few days these water-closets on deck are carried away?—I come here to learn it; I never heard it before; I have never heard a single complaint, except one which I prosecuted.

3336. *Chairman.*] We have had the evidence of Commander Lean, the inspecting officer here, and he does not seem to entertain the same difficulty with regard to water-closets between decks. The plan he mentions is the plan of which you have spoken: that there should be a tank forward with a long tubing, and that the water should be pumped from that tank by tubing; one of your objections was, that the tubing so put up would give way?—Yes.

3337. Could not that be avoided, by having the tank to each closet between decks filled through a hole directly over it?—By a pump?

3338. By a pump or by buckets, through a small funnel?—I think the holes in the ship are very disadvantageous.

3339. You mean the soil pipes?—Yes; the "Matoaka," which was a Government vessel, after having sailed from Liverpool, got into heavy weather in the Channel; and from stuffing all kinds of dirt and rags into these pipes, they burst, and the ship leaked very much, every time she lurched in the sea, through one of those holes in the side.

3340. But that might be remedied by having plugs ready for the occasion?—Since that, the way in which I have remedied that leaking is by a flap scupper, and by never having them amidships in the ship. With regard to Captain Lean's opinion, I disagree with him as to having closets between decks.

3341. In the Return to an Address of the House of Commons, on the 22d of February 1853, there are copies of reports from the colony of Victoria, and reports furnished by the Colonial Land and Emigration Commissioners with reference to mortality; and at page 12, paragraphs 19 and 20, it is stated, that the Emigration Board in Australia referred a good deal of the mortality, amongst other causes, to the exposure of a large number of the emigrants to a night's drenching rain on the steamer from Glasgow to Liverpool; and in paragraph 20 the Emigration Commissioners remark, with reference to that, that they uniformly stipulate, in the case of emigrants conveyed at the public expense from a distant part, that they should be accommodated under cover?—The same as troops.

3342. Are you aware that a large portion of the Irish emigration through Liverpool comes by the Irish steamers without cover?—Yes. I suppose, according to their means; Government pays 5*s.* a head for them.

3343. Have you seen it at all?—Yes, I have frequently seen it.

3344. Do you not think it advisable that the same regulations which the Commissioners think necessary to adopt as to the ships under their control, should be insisted on as to others, either by Act of Parliament or otherwise?—Yes, I think it would be a great advantage; but I think at the same time that the 5*s.* might prevent some of the people going out of the country who wished to go, because it increases the sum. The steam-packet people will not take the passengers without they are paid.

3345. Should not steam-packets, carrying these passengers on deck, be compelled to have a cover over the deck, as they have in some steamers already?—When I was the emigration officer at Dublin I frequently had to embark passengers, and I personally attended, and saw they were under cover, and had proper accommodation in the steamers.

3346. In some of the steamers across the Channel there is a cover for horses?—Yes, but it is very small; I have occasionally seen passengers put into horse-boxes, when they did not exceed 20 or 30, and it is a very good plan.

3347. Mr. *Peel.*] This Act does not apply at all to passages between Ireland and Liverpool?—No, it does not.

3348. Mr. *Liddell.*] Did you state that the contract was for 5*s.*?—The Government contract.

3349. *Chairman.*] Neither does the Act apply to the passage of emigrants at the public expense, to whom, nevertheless, the Emigration Commissioners have thought fit to apply this stipulation?—Yes; and very wisely.

3350. And, if they find it advisable, it would also be properly applicable to the passage across the Channel?—Yes.

3351. Mr. *Liddell.*] The passage across the Channel is frequently charged at a lower sum than 5*s.*?—I cannot answer that exactly; it is frequently, I think, only a shilling on deck.

3352. Mr. *Peel.*] It is paid for in the contract ticket?—Yes.

3353. *Chairman.*] Are you aware that the vessels which are taken up at Liverpool for emigration, whether by the Commissioners or otherwise, are vessels that have sometimes just landed a cargo of guano, or any other cargo that is likely to be offensive?—I do not think guano is usually the cargo of the emigrant ships at Liverpool, but I do not know there would be any objection to a ship taking out emigrants that had been laden with guano.

3354. Are you aware at this moment that the Admiralty, in advertising for the transport of troops to the East, have provided expressly against the hiring of ships that have carried guano?—I heard so the other day; and I understood the cause was, that it was considered as injurious to the horses' eyes.

3355. If there were anything that might prove injurious to a horse, might there not be something to affect a human being in the vapour or odour?—There might be; but I am certain that no ship would ever be allowed to embark emigrants at Liverpool, without being personally inspected by the medical officers as to sweetness; all ships that on previous voyages to America have had sickness on board, are purified under our medical superintendence.

3356. Do you recollect the correspondence you had with Mr. Bevan in the case of John Ryan?—Perfectly.

3357. That was with reference to the ship called the "E. Z."?—Yes.

3358. That was what is called a "short ship?"—Yes.

3359. Explain the meaning of the term "short ship?"—The meaning of the term "short ship" is, that she is allowed to carry four passengers to every 100 tons, without coming under the immediate supervision of the Act; the only clauses of the Act she immediately comes under, are 9, 13, 14, 44, 45, and 52.

3360. In that case, the emigrants sailing in her had had their passages previously arranged in the "Commerce," which was a much larger vessel?—Yes.

3361. A vessel perfectly fitted?—Yes; under the supervision of the Act.

3362. She was not ready when required?—She was not ready.

3363. And the emigrants were therefore transferred from her to the other?—Yes.

3364. Do you think it a desirable thing that the law should allow these transfers of emigrants from one vessel to another at such short notice, in consequence of which the vessel may not be so fully prepared?—No, I do not; I entirely object to short ships; I have stated so before, and I can give my reason.

3365. State your reason?—My reason for objecting to a short ship, is, that a great portion of the poor Irish or English that go by them, are of opinion that every ship in which they embark is surveyed as to safety, and as to general equipments, and that the contract ticket provides for that being done; they are not aware of the nature of short ships, and therefore they are deceived.

3366. Mr. *Liddell.*] I asked you in your former evidence, at Question 3169, "Would you advise that the law should be so altered in this respect, that no vessels should be allowed to carry passengers at all, unless they comply with the regulations of the Passengers Act?" and your answer was, "I think it would be a great improvement?"—Yes.

3367. *Chairman.*] Do you continue of that opinion?—Yes.

3368. Mr. *Peel.*] Do you know whether the Canadian or American law exempts what are called "short ships," upon their arrival in America?—I am not aware, but I think not; I do not think they are exempted.

3369. Therefore short ships are inspected on the other side of the Atlantic?—It is very probable they may be; I cannot answer that question definitely.

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3370. Captain *Scobell.*] In Question 3274, I asked you, "Are apprentices now usual in emigrant vessels?" and your reply was, "Yes." How long have you been at Liverpool?—A little more than a year.

3371. Was that in 1853?—I was there all 1853.

3372. This is a return of February 1853?—I only answered with regard to those I inspected.

3373. I wish to call your attention to this return, which may prove useful to yourself. It is dated the 16th December 1852, and there is the name of every ship that sailed from the port of Liverpool, with the complement of the crew, and in one column stands "Boys;" 309 vessels sailed from Liverpool during the period for which this return is made; in those 309 vessels they had no more than 201 boys, and out of the 309 vessels 259 had no boy on board whatever?—I can give a reason for that, and the probability is, that they were over the adult age, in which case they would be returned as men; a boy is a boy at 14; I do not think I should like to have boys under 14. I do not think I should feel quite justified in accepting them.

3374. You would not call them adults?—Yes; in the Government ships it says they are to have so many men; therefore I could not count a boy as a man; they must have two boys for a man.

3375. You call him a man when he is above 14 years of age?—Yes, when there are only two or three of them; and when we have four men to the 100 tons, we should take three to a ship.

3376. Sir *T. Herbert.*] Are they bound to have any apprentices at all?—No; I think not.

3377. Captain *Scobell.*] Would you not, as a naval officer, think it an extraordinary thing that a cadet, when he entered a ship at 14, should be called a man?—Yes, I only mean for the sake of encouraging boys; for instance, two or three would be passed at the age of 14 in a large crew.

3378. As men?—As men; you cannot put them as anything else on the list; we do not compel them to take boys.

3379. But if they have boys, they have a right to take them if they like?—But they would not be returned as the crew.

3380. In returning the crew, you would say so many men and so many boys?—The boys would be returned extra; you must have two for one man.

3381. Mr. *Liddell.*] Do you not think it might be wise to re-enact the Apprenticeship Laws?—I am quite of that opinion. I do not think the encouragement of boys is at all carried out as it might be for the benefit of this country.

3382. Is it your decided opinion that for the exigencies of the service it would be a wise measure to re-enforce the apprenticeship system on board emigrant ships?—It is.

3383. Captain *Scobell.*] If that is not done, and boys fall off in the ratio that appears by this return, will there not be a great deficiency of able seamen by-and-by?—Very great. I am of opinion, in every port, such as Liverpool, Hull, Leith, and other large mercantile seaports, that a ship might be fitted and officered, not at a very great expense, to give boys a year's schooling and drilling to prepare them for both services, the mercantile and the Royal marine; and with the occasional presence of a man-of-war it might well be carried out with great advantage; and recruiting parties going through the country, into the central counties, might take boys who would be glad to come under those circumstances.

3384. Would you propose that Government should be at the expense of that, or the merchants themselves, or that it should be borne jointly?—I think that Government should partly, or mainly, do it. I think a seaman is of equal value, whether he is carrying cotton or serving the Queen; but there is no doubt the ready-made article is nearly out of hand; we cannot find it; it is decreasing.

3385. Mr. *Liddell.*] And you think you will not be able to supply that article, without something in the shape of compulsion with regard to the apprenticeship system in the merchant service?—No; I think not.

3386. Sir *J. Anderson.*] Has there been yet any great scarcity of seamen?—Yes, I think so; ships are not unfrequently detained in the river at Liverpool, from want of seamen.

3387. Have not wages immensely increased?—Yes.

3388. Will not that naturally increase the number of seamen?—I think not; I do

I do not think sufficient pains are taken to give people a taste for the sea; and I think that if greater opportunities were offered to people who are living in the centre of England, who know nothing of the sea, that more care and education will induce them to let their boys come.

3389. Do you not find generally that high wages induce persons to enter, and become seamen?—I think that high wages in this instance sometimes do not get an article equal to the wages. In the ships I pass, although the men may be called tolerable seamen, yet they are receiving 5*l.* a month, for which they ought to be first-class seamen.

3390. Sir *T. Herbert.*] Do you think, since they did away with the apprentices about four years ago, that the seamen have diminished?—I can only answer from my experience at Liverpool for a year and a half; and I have no hesitation in saying that, for such a large commercial port, seamen are extremely scarce.

3391. Do you attribute that result to the doing away with the apprenticeship system in the port of Liverpool?—As I was then serving at sea in a man-of-war, I know very little on this peculiar subject, and its working before it was done away with. I do not feel quite competent to answer the question; but I positively observe this now, that there is a great want of seamen.

3392. Do you think the restoration of the apprenticeship system would be the means of increasing the supply of seamen?—Yes, I think it would much facilitate the supply in a few years.

3393. Captain *Scobell.*] If the Parliamentary Return of the year before the sea apprentice law was repealed, states that there were upwards of 30,000 apprentices, and last year or the year before there was only half that number, would not that tell you in some degree why young seamen are scarce?—Yes.

3394. With regard to what you said about a taste for the sea, do you think a man ever gets a perfect taste for the sea if he never goes to sea till he is a man?—One of the best young officers I have ever met at sea, I think did not enter the service until 16.

3395. By a man, I mean a grown man of the age of 20 or 21?—I think decidedly not; I think he should come young to sea.

3396. Mrs. Chisholm, in her evidence, recommended that emigration vessels should be licensed; are you of that opinion?—A bond to the Government appears to me sufficient; they enter into a bond for 1,000*l.*, and they go under a very scrutinising survey.

3397. She also said that the bond of 1,000*l.* was not sufficient, and she mentioned one instance particularly, in which it turned out that it was insufficient; do you think that the bond should be increased in amount?—I cannot say practically that I do think so.

3398. She also recommended that the bond should be from the owner of the vessel, and not from the parties now giving the bond; what is your opinion on that point?—I have not from experience found that any alteration should be made; I am not aware of any unsound ship ever having passed.

3399. Mr. *Peel.*] Does not the owner or charterer always join in this bond with the master?—Always, I think.

3400. You would not recommend that the owner should enter into a permanent bond to answer for any maltreatment of emigrants on board his vessel, into whosever hands it should come?—It might be advantageous to make both parties enter into a bond, to which I do not think there would be the least objection, either by the owner or charterer. I think it quite necessary that there should be a hold upon the treatment of emigrants, but not beyond that.

3401. *Chairman.*] With reference to the case of the ship "E. Z.," you state in your correspondence, which you gave Mr. Bevan liberty to use, that you have not sufficient power to prevent these short ships evading the law as to cargo, by taking a smaller number of passengers?—Yes.

3402. Do you consider it desirable that your power should be increased in that respect?—Yes.

3403. Do you consider that the distinction of short ships should be done away with?—Yes; I have said that before.

3404. How much of the emigration takes place in such vessels?—You can see it in my evidence; I answered it the last time I was here.

3405. Is there as much as one-third of the whole emigration?—I think not; you will see the exact number stated; it was about 15,000 from Liverpool.

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3406. Do you recollect the case of the "Marathon," which sailed on the 22d of September?—No.

3407. It was stated in the public papers that in 38 days the passengers were short of food; that she got there in 59 days; and that if they had been a few days more at sea, they would have been starved?—It is the first that I have heard of it; I will investigate the case.

3408. Mr. *Peel.*] Would you fix on a minimum in the number of passengers that should bring a ship under the Passengers' Act?—No; I think, out of the cabin, I would not have any.

3409. If there were only two or three passengers on board a ship, would you require that vessel to be subjected to all the restrictions imposed on vessels having more passengers than four to the 100 tons?—I think that, if that is permitted, those people should perfectly understand that they have not the protection of the Act; the objections that I have to the short ships are, that ignorant people take their places under the impression that they are protected by the Act in every way, whereas they are not.

3410. But do they require so much protection, when there is almost an unlimited space for them, as where they are crowded together in large numbers?—I mean as to the safety of the ship, the loading; it is not in the personal comfort, but in the deep loading of the vessel. For instance, in the case of the "E. Z.," the whole of the passengers were washed overboard in the deckhouse, and drowned.

3411. Is the per-centage of the loss of life in these short ships higher than it is in emigrant vessels?—That is a point I have not gone into.

3412. Have you any reason to suppose that it is?—No.

3413. *Chairman.*] You stated, with regard to the "Fingal," that a portion of her cargo was between decks?—Yes.

3414. In a ship so situated, there could not have been great accommodation for the passengers?—They have their legal space.

3415. But in short ships there is nothing to prevent the cargo being stowed between decks to diminish the space?—No, but they come under the clause of the Act which insists on the space being correct; they are certain of their proper space.

3416. Mr. *Liddell.*] These ships may be utterly unseaworthy?—Yes.

3417. And the passengers may have no opportunity of knowing that, believing themselves under the protection of the Act?—Precisely; they do not come under any survey; they have not the benefit of any survey.

3418. There is not the same security given?—No.

3419. *Chairman.*] In the case of the vessel, the "E. Z.," she was exposed to a sea which absolutely carried the deckhouse and the passengers overboard?—Yes, that was the case.

3420. Mr. *Liddell.*] At what period did that ship perform her voyage?—In the dead of winter.

3421. Last winter?—Yes.

3422. *Chairman.*] With regard to the stowage, is it not the fact that you are at present exposed to actions if you interfere with the stowage of cargo below deck?—I am now sued for 3,000*l.* I do not think my powers are near sufficient with regard to stowage.

3423. You have power with regard to deck loads?—I do not think the powers are clearly enough defined, because in the execution of my public duties I have been sued for a large sum of money; therefore there must be something deficient in the wording of the Act, which would cause a gentleman to suppose that I could possibly take cargo out of his ship for any other reason but that of public duty.

3424. There is the particular case, at present, of a gentleman named Steele?—Yes.

3425. Mr *Peel.*] Have you any reason to suppose that vessels which would be rejected by yourself, if offered as emigrant vessels, are employed as short ships for the purpose of evading the law?—I could not say for the purpose of evading the law, but I am nearly confident that several ships that have not passed the surveyor, and have been rejected, have afterwards carried passengers as short ships.

3426. Have there been any instances of short ships being employed in the voyage to Australia?—I could not quite answer that question; I think the "Themis" was a rejected ship, which took passengers recently.

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3427. Captain *Scobell.*] Speaking on the subject of bad arrangements in some vessels, Mrs. Chisholm was asked, in Question 3109, "Do you attribute that consequence at all to the facility of insuring up to the value, and the comparative indifference to the safety of the vessel?—I have very frequently thought that I should prefer going to sea in a ship not insured. Sometimes they are insured rather higher than I like." Do you think that system of a bad vessel being able to be insured with great facility, and, as she says, higher than the value, may account for some of the indifference in the fitting of vessels with regard to safety, which have not been surveyed?—I think my answer already with regard to short ships applies to that; that people should not be allowed to go in short ships at all.

3428. If allowed, do you think Mrs. Chisholm's opinion has any weight in it, in which she says she should prefer going to sea in a ship not insured; she means that insurance creates indifference in the minds of the owners as to the ultimate safety of the vessel, because it is insured for as much as it is worth?—I cannot give an instance of any such indifference having come under my observation.

3429. As a practical man, would you think it expedient to prevent vessels such as the "Tayleur," or any other vessel which had never been at sea at all, issuing out of port laden with emigrants, without having any kind of previous trial before sailing, or testing her fitness for the sea?—I think it would be a great advantage to have a tried ship, but at the same time I think it would be difficult to accomplish.

3430. In the case of the "Tayleur," the mate's evidence is that "she always took two hours to wear; I cannot say what was the reason." That ship is the instance I have most in my mind; and inasmuch as all hands were nearly drowned, would it not be a rational safeguard to prevent ships never tried at all from issuing out of port in that sudden way, without knowing whether they would steer, in fact, without having been tried at sea, even if at some inconvenience in other respects?—I think it would be very advantageous to have a tried ship; but I will now give an instance of a ship, the "Black Eagle," which was built at Liverpool, and is now taken up by the Government. I believe her to be in every way an efficient vessel, and though I think it advantageous to have ships tried, still I think to do away with this man's charter because she has never been to sea, is scarcely a sufficient reason.

3431. It would not prevent her going to sea in any other way than as an emigrant ship; she might take out cargo?—Yes, but at this moment we have a ship on for the Government built at Liverpool which has never been to sea yet, and I hardly think that it is a suitable reason for rejecting a ship. I should like to place before the Committee the drawings of the "Tayleur." (*The Witness produced some drawings to the Committee.*)

3432. *Chairman.*] Considering that there might be hardship in refusing to charter a ship, might not the same object be obtained, namely, the seaworthiness of a ship, by compelling the master to enter into a bond of some sort, that if he found his ship after a fair trial unhandy at sea, and that she would not wear readily, which is a most dangerous quality in a narrow channel, he should be bound to come back?—I think that would be very advantageous.

3433. If it were proved afterwards by his log that he did not come back, he should be subjected to the penalty of the bond?—Yes.

3434. Mr. *Peel.*] It was suggested that the emigration officer should not clear a ship until he had ascertained that the compasses had been adjusted?—Yes.

3435. How would you propose that he should ascertain that; should he get the certificate of any person, or should he see to it himself?—I am of opinion that the owner's word, in such a case, that the compasses had been properly adjusted by a competent person, would be sufficient; it would be impossible for the emigration officer in any way to mix himself up with such an operation, or with the swinging of the ship, particularly in the conflicting opinions that now exist. I am of opinion that a man such as Mr. Gray, at Liverpool, who I believe made the compasses for the Queen's yacht, would be a competent authority, and more competent than any emigration officer could be.

3436. It would not be reasonable to expect that degree of professional knowledge in the emigration agent?—I think he would not have time to go into the thing, in case of the appointment of such an officer; I think it desirable to have a Government officer appointed permanently for the inspection of com-

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passes, and not to have anything to do with emigration; the Board of Trade should do it. It is as important that a ship with her crew and captain should be taken care of, as that emigration ships should be taken care of; therefore the compasses should be embraced on a larger scale.

3437. *Chairman.*] To have, in fact, an officer added to the staff for that special purpose, who also might see that she was swung in proper time; that she had a table of errors supplied; that she had chronometers, barometer, and azimuth compass before she went to sea?—I think it would be advantageous.

3438. Mr. *Peel.*] Is there any other port, except Liverpool, where, as far as emigration is concerned, sufficient employment could be found for a person devoting himself entirely to the adjustment of compasses?—I should think in every port there would be sufficient.

3439. As far as emigration is concerned?—No.

3440. You would not propose to place an officer of this description under your orders?—No; I think he should act free from me. I cannot see what benefit the public service would get by my having the control. I think he should be a scientific officer.

3441. Mr. *Hankey.*] Do you not think, if any officer were publicly appointed for that purpose by Government, that it would destroy the individual responsibility of shipowners?—It would very much lessen their interest.

3442. Would it not, in your opinion, be a new principle, tending to destroy that responsibility which every shipowner ought to feel in the attention to such matters himself?—I think it would have that tendency.

3443. *Chairman.*] Would there not be a responsibility on him to satisfy the requirements of that officer still?—From the recent accidents, more attention has been called to this subject, and in practice the responsibility at present existing does not appear sufficient; but whether it is the want of inclination, or the want of science, remains to be proved.

3444. Mr. *Hankey.*] Did you ever hear of any difficulties that have arisen of that kind, otherwise than in emigrant ships?—I am of opinion that no iron ship goes to sea whose compasses remain in adjustment the whole voyage. I am further of opinion that the losses in many cases that have taken place have been caused frequently by errors in the compasses, and I know of no legislation which can keep the compasses in order. It is similar almost to the use of the lead in the care of a ship. The only way to keep a compass in order would be to disbelieve its being correct at all, as we appear yet not to understand fully the subject of magnetism.

3445. Is not that object to a certain extent attained by the master of the ship from time to time seeing to the adjustment of his compasses?—Are you alluding to merchant ships, or to men of war?

3446. I am not alluding to men-of-war at all?—You mentioned the master.

3447. I mean the captain of the vessel?—I consider that the captain of the ship does devote his time and attention to it, by the practical results which we have had of their very good and safe voyages.

3448. If that is the case, do you think that any benefit would arise from the single examination which could be made by an officer previous to the sailing of the ship?—I do not think I am quite understood. I was asked whether I thought an emigration officer should be appointed to do the duty; what I intended to say was, that I do think it is impossible, considering the duties he has already to perform, for him to perform the duty.

3449. Mr. *Peel.*] Have you lately been instructed not to clear a ship unless the compasses have been adjusted?—No.

3450. Mr. *V. Smith.*] Are these duties performed now by the emigration officers as to emigrant ships?—Never, we merely ask if the compasses are adjusted, and we are told they are.

3451. Your proposal, if carried out, would be to have another officer appointed by the Board of Trade?—If it is thought necessary by the Committee.

3452. How would his duty of investigation interfere with that of the emigration officer?—Merely that no ship would be inspected until such a certificate should be granted to the ship.

3453. Then you would require a double inspection?—Yes, if it occurred; therefore I have no hesitation in saying, it would be the greatest possible detriment

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to trade, and would be next to impossible. There will be a quantity of iron carried in these ships, and if it is a question of magnetism it is of no use inspecting the iron ships only. To inspect an iron ship fully, she would have to be heeled; when she is upright her deviations would be quite different to what they probably would be when she was heeling over seven or eight degrees; and to heel an iron ship only, I do not think would meet the point, as wooden ships carrying iron cargoes would require the same inspection every time they came into port; and as sometimes at Liverpool ten ships are cleared a day, the Committee can imagine what an affair the swinging would be. I do not know any point in Liverpool where the thing could be fully carried out, for two ships could not be swung in one dock at one time; and where the docks are generally supported by iron pillars, and have iron ships all about them, I do not think the thing could be effectually carried out.

3454. *Chairman.*] Do you at present refuse a clearance to a vessel on any point concerning her compasses, or any other instruments used in the navigation of the vessel; do you examine into her being furnished with these at all?—I should not consider a ship ready for sea where the requisite nautical instruments are not on board.

3455. Would you examine as to them?—The captain is always questioned on it; if there is any doubt, they would be seen.

3456. In the "Tayleur" there was a deficiency in one respect of the azimuth compass?—It is never taken, or very rarely taken, by ships out of Liverpool. An azimuth compass being taken in ships in Liverpool would be an exception, not the general rule.

3457. As a seaman, do you consider it advantageous, especially on a long voyage?—I think it advantageous to have an azimuth compass; but it is quite possible to correct your variations without an azimuth compass.

3458. In iron vessels, where there is such difficulty in regulating the compasses, is it not desirable that they should have every means that science affords?—It would be a great advantage; but in the case of the "Tayleur's" loss I do not think an azimuth compass would have been of the least use in the world.

3459. Captain *Scobell.*] Do you know whether Mr. Grey swings the vessels and adjusts the compasses in the wet dock, or in the river?—It is generally done in the dock, and then they are examined afterwards in the river; but there are no points at present erected in the river.

3460. *Chairman.*] But there are iron pillars about the dock?—Yes, I think they must build a dock for it. There is no plan, to my knowledge, by which it can be done at present satisfactorily in the docks at Liverpool.

3461. Captain *Scobell.*] Would it not be better if it was done in the river, and more satisfactory?—Yes, but where the tide runs from five to seven knots an hour there is great difficulty. You must catch her exactly on the swing, and she is not long swinging.

3462. In the dock you say there are masses of iron?—Yes; but the "Great Britain," and the missing steamer, the "City of Glasgow," were swung there before they went away.

3463. The custom is to adjust the compasses in the dock?—Yes.

3464. *Chairman.*] If there is such uncertainty in the compasses, merely from the fact of the vessel being iron, of course the fact of her taking an iron cargo on board after swinging renders the compasses still more doubtful?—Yes.

3465. The "Tayleur" was not swung after she had taken her cargo on board?—Her compasses were examined, but she was not swung; they had not deviated when she sailed. I think, from what I have collected, they did not get out of order at all till she began to heel; but the moment she heeled over, the compasses were deranged.

3466. Mr. *Hankey.*] Do you think it would be practicable or expedient for any Government officer to be appointed to inspect the compasses of ships previous to going to sea?—I do not think in Liverpool one man could do the duty at all; I think it would probably require many persons.

3467. The question was, do you think it "practicable or expedient"?—With regard to the expediency, it would be an extra caution.

3468. Do you think it would materially interfere with the arrangements of trade and the management of ships, if any Act of Parliament were to pass to

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oblige every shipowner to have his compasses adjusted by a Government officer previously to going to sea?—I think it would be a very great interference.

3469. Mr. *Peel.*] Is there generally a medical practitioner on board the vessels which are cleared from Liverpool?—Yes; even if we do not require them, in some cases.

3470. You have the power of rejecting a person not qualified?—If a person is legally qualified, I have no power to reject him, unless for a very ample reason; for instance, drunkenness I should conceive a very ample reason; but in such a case I should have to apply to the Commissioners for support, if he had a diploma.

3471. Whether that diploma were given to him in this country or abroad?—No; for instance, a colonial diploma would not pass; an American diploma would pass in an American ship, but not in an English ship; but a colonial diploma does not pass at all.

3472. Are there many instances of diplomas given in the colonies?—I have seen such a thing, and have had to reject one or two.

3473. Would you propose to reduce the number of passengers required to make it imperative to have a surgeon in an emigrant ship?—I think there is great difficulty in finding qualified men. It is desirable that no ship should go to sea without a surgeon, which carries 40 or 50 people. The great difficulty is in finding them; considering, since I sat in this chair before, that 31,000 people have gone away, there is great difficulty in finding medical men.

3474. Do you make inquiry into the behaviour of surgeons on former voyages?—Yes. There are a certain set of men who generally go, and they are pretty well known; but we always try and get certificates to show they are men of respectability.

3475. As a general rule, do they work in harmony with the captain?—Yes; but I am of opinion that they are not sufficiently paid to get so respectable a class of men as you otherwise would get. If they were paid by the head, or by some other system, it would be far better than that they should be ground down as they are now.

3476. Captain *Scobell.*] That is the case in the Government ships?—Yes; they there get so much per head.

3477. And you would recommend the same system in other ships?—Yes; and that the passage-money should be similarly paid, because a death is at present an advantage to the charterer. I do not think it should be an advantage to a man. If only half the money was paid on this side, and half on the opposite side, it would be a much better system; but the difficulty is in carrying it out.

3478. *Chairman.*] Has your attention been drawn to the new invention of metal casks, that take to pieces to allow the stowage of cargo on the return voyage?—I have a model which was sent to the Colonial Land Emigration Commissioners, and I think it will be a very great advantage if it can be carried out; the only question is, whether such a cask could bear the weight or pressure of cargo put on it. When that is sufficiently tested, I believe the Government ships will be fitted up with them; and then others will follow the example, I have no doubt, as the price is about the same. With reference to the stowage of cargo, I should like to have more clearly defined powers. I have a certain power, and I have exerted it, and I believe justly exerted it; but I do not think there ought to be room for dispute.

3479. It is section 26 of the Act which refers to the cargo. On this, the regulations say: "There is a general prohibition against taking as cargo or ballast any article which by reason of its nature or quantity shall be deemed by the emigration officer likely to endanger the health or lives of the passengers or the safety of the ship. It is on this latter part of the clause that questions frequently arise, such as whether salted hides, packed or unpacked salt, iron in an unusual quantity, coal, &c., come within the meaning of the prohibition. The determination of these and similar questions rests with the emigration officer, who, being on the spot, and possessing practical knowledge, with the advantage of being able to consult the medical examiner of emigrants in cases involving sanitary considerations, is the most competent person to come to a correct conclusion." Do you think it is better there should be an amendment of the Act in that respect?—Yes, I think so; it will be more satisfactory to all parties; whether the thing is totally left in

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my hands as a despotic authority, or whether an arbitration of any description may be thought the best, if most desirable. In all cases where I have removed cargo from ships, I have always thought it my duty to take other opinions as well as my own; and those opinions, and the only ones I have felt authorised to take, are the opinions of the officers serving with me.

3480. Mr. *Peel.*] There is no doubt of your having the power to reject cargo on account of quantity, when that appears to be excessive?—In the case of the "Miltiades," which is the ship upon which I am sued, it was considered to be too deep in the water.

3481. *Chairman.*] Then you have been very particular on that point?—I have been so, but it is difficult to carry it out.

3482. Mr. *Peel.*] Is there any clause whatever in this Act that gives you power, when you consider the quantity of cargo to be excessive, so as to endanger the health or the lives of the passengers, or the safety of the ship, to order its removal?—I consider that I have the power, and have directed it to be removed.

3483. Was not that word "quantity" introduced into the amended Act of 1852, expressly with the view of giving you that power?—I think so, but still it is questioned.

3484. May it not sometimes happen that the quantity of cargo is unobjectionable, but that the manner of its stowage is such as to endanger the safety of the ship?—Quite so.

3485. Although you cannot take exception to it on the ground of quantity?—I think myself that very much of the safety of the vessel depends upon the stowage; but I think, at the same time, a ship must not be too deeply immersed in the water, however well she is stowed; and not only is it my duty to look after the safety of the ship, but I have to look after the health of the passengers; and when passengers are put into a house built on deck, a deep ship will very probably, under ordinary circumstances, be very wet and uncomfortable, and the people will live up to their knees in water, after paying for their passage out.

3486. *Chairman.*] The case of the "E. Z." was rather a strong one upon that point?—Hers was downright want of safety. I am speaking not only as to the safety, but as to the health of the people. I think, whether one article is in excess or whether the whole are in excess, my powers are equally the same. Whether the ship has too much lead, or too great a weight of any other article, as cargo, is immaterial, if she is bodily too much immersed.

3487. Mr. *Peel.*] How would you propose that the enlarged powers which you are in want of should be given to you; it was suggested by Mr. Murdoch, that the Crown should have power by Order in Council to regulate these matters, so as to save you harmless for any directions that you might give?—Yes, I think that would be one of the best modes; but I think an arbitration would do. There is an arbitration in case of a ship being rejected, and I do not see why an arbitration should not be gone into in respect of the loading of the ship, if it is thought more beneficial. I can only believe now, that the point objected to is the despotic authority of the one person.

3488. *Chairman.*] With reference to that, does not the action brought against you refer not merely to the quantity of cargo, but to your having exercised what are called arbitrary powers with regard to the quantity of cargo, the stowage of cargo, and the draught of water of the ship?—Yes; those three points are just the points upon which I consider the power is given to me.

3489. Mr. *Peel.*] You cannot suggest what should be the depth in the water of vessels carrying emigrants?—Yes, I can.

3490. Applicable to every ship?—I cannot say exactly the draught of water of every ship, but it does not require anything beyond a sailor's eye to see whether a ship is of a good draught or a deep one, without having any definite rule. I believe the rule at Lloyd's is three inches of side for every foot of hold. That is what they consider safety, but it is not what I consider sufficient, either for safety or health. I consider such a draught with passengers is very deep, and if the people would not be drowned on the way, they would still pass a very uncomfortable time, and probably lose their health; and I think this is a very material part of the Act.

3491. Would it be possible to prescribe positive rules on such matters as this?—

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No, I do not think it would; but it is quite possible to arm the emigration officer with sufficient power not to have his word disputed, or I think it would be probably more generally meet the feeling of everybody to arbitrate in such a case; to have an appeal to competent surveyors; if they do not like Captain Schomberg's opinion, to have recourse to the opinion of three competent surveyors, and that would give the shipowner the fair benefit of three opinions.

3492. But subject to arbitration, you propose that your decision should be final?—Yes.

3493. *Chairman.*] Without subjecting you to an action?—Yes; but now I am subject to actions, and I think it shows that my opinion is distasteful. The present custom at Liverpool is, if a ship is turned over or her masts condemned, to have an appeal, and I appoint the surveyors. The surveyors are in my appointment, not the owners' appointment. If they all three agree they would get it given in their favour; but if they disagree they would have to do as our surveyors dictate.

3494. Mr. *Peel.*] The privilege of that appeal does not supersede the right of suing you in a court of law?—No, there would be no occasion to sue me in such a case, because they would have their appeal to three competent surveyors; the only thing they now object to is my having the power.

3495. Is that a preferable mode, in your opinion, to issuing an Order in Council?—In my opinion it is; I think my opinion is sufficiently unbiassed not to coerce any person, and to do my duty to the best of my ability; if that does not succeed, I need scarcely say there would be advantage in another method.

3496. Mr. *Liddell.*] What you complain of is, that the Act necessarily leaves the discretion with the Government officer?—Yes, nobody has the discretion, except myself; no man in England can cause a Liverpool ship under the Passengers Act to be altered in her draught except myself, in my opinion.

3497. Is what you complain of this: that a Government officer, exercising that discretion to the very best of his power for the public service he is appointed to look over, should be, in the exercise of that power, subject to the inconvenience and distress of an action?—Yes, that is what I complain of.

3498. Mr. *Peel.*] That liability would, of course, be removed, if the instructions, instead of being issued by the Commissioners, were issued under an Order of Council?—I suppose it would.

3499. *Chairman.*] You desire to have it properly settled?—Yes, I desire to have it settled one way or other; I do not covet the despotic opinion; I have now the appointment of these surveyors, and I think I should still have that.

3500. Mr. *Peel.*] In the case provided for by the 16th section, an adverse report by Government surveyors, as to soundness, would disqualify the ship for employment as an emigrant vessel?—Yes, decidedly.

3501. Would you propose, in such a matter of detail as the quantity of cargo to be carried, to embarrass your freedom of action by giving the owner of the ship this power of appeal?—No; I think, merely on the point of cargo, when the ship is laden so deep that it becomes a question, and where the owner is unwilling to remove the cargo at my suggestion, that I should either have the power to make him move the cargo according to my opinion, or that there should be an appeal to competent surveyors to relieve me of the responsibility.

3502. *Chairman.*] Do you not say that it is not at all the practice at present to keep the cargo sufficiently down?—I do; I have no hesitation in saying that the American ships carry tremendous cargoes, much more than I like to see carried, and more especially the new clipper ships. I consider losses to have occurred from this; for instance, a ship getting on a lee shore with one of those heavy cargoes, would have but little chance of getting off; whereas, if she was not so deeply laden, she probably might work off that shore, and be saved.

3503. In the present action against you, has not your attention been called to the fact, that there is to a certain extent a difficulty of interpretation with regard to the matters you have to decide on in your discretion; the powers given to you are differently stated in the 26th and 70th sections?—Yes.

3504. In

3504. In section 26, it speaks of a cargo which, by reason of its nature or quantity, is likely to endanger the lives or health of the passengers, or the safety of the ship; while in section 70, it says articles which by reason of their nature or quality?—Yes; they are worded differently.

3505. That has added to your difficulty?—Yes.

3506. And has greatly confused the interpretation of this Act?—It has.

3507. Captain *Scobell.*] With a ship heavily laden, and ready to go to sea, would not this arbitration cause great delay and inconvenience?—It would, of course.

3508. Would it not be a better way to appoint competent persons as inspectors, and give them the authority to finally judge?—I have used my powers exactly in that manner; where I have held such an opinion, I have given an order for a survey, as we do in men-of-war for three lieutenants to proceed, and give me their opinions.

3509. And you believe if the vessel is too deeply laden, that not only the health and comfort of the passengers may be injured, but the very safety of the vessel itself?—I think so entirely.

3510. Mr. *Peel.*] Have you known any instance where the Government surveyors have declared a passenger ship to be unseaworthy, and there has been afterwards an unsuccessful appeal to independent surveyors, and then that vessel so twice declared unseaworthy has been employed as a short ship?—I know of no such instance.

3511. Does it often happen that the owner of a ship appeals from the decision of the Government surveyor?—During my stay in Liverpool I can only call to mind two; one was a survey on a ship's mizen mast, the other on a ship's rudder. In the case of the mizen-mast a contrary opinion was given to the surveyors of the Government. The mast was considered to be sufficient, with a few extra hoops being put on it. In the case of the rudder they agreed with the Government surveyors, and the rudder was condemned. I have never had the case of a ship since I have been in Liverpool.

3512. Would an owner knowingly offer a ship liable to be rejected as unseaworthy?—I can only say that I believe 57 ships have been rejected in something like two years at Liverpool.

3513. Have any of those been employed as short ships?—I cannot say; but I can find out when I go to Liverpool. I do not know whether my answer impugns anybody; but I only wish to show that ships have not always passed because they are put on for survey. I do not state that any owner would willingly offer an unsound ship.

3514. Captain *Scobell.*] Do not the owners of a ship which carries emigrants seek the office?—Yes.

3515. Therefore, do not you think it fair and just, and the most efficient way of carrying out the Act, that they should be subject to the official opinion of the emigration inspector?—I think so.

3516. They need not take the office if they do not like?—I am quite of that opinion; and if the officer is not a proper man, his successor should be found.

3517. Mr. *Peel.*] You said that vessels employed as short ships, go to sea in an unseaworthy state?—Not so much in an unsound state, but they load to a very great extent, much deeper than they would be passed if they were coming under this Act.

3518. *Captain Scobell.*] These 57 vessels were not rejected for overloading?—No, they were unsound.

3519. If they were not employed as short ships, they were employed in other respects?—Yes.

3520. *Chairman.*] Do you recommend in anything you have said, that all vessels carrying passengers, including contract mail steamers, should be under the Passengers' Act?—I answered that the last time. I think the permanent mail ships should not be under the inspection, as they already have one inspection of the Government mail officers appointed.

3521. Is that inspection sufficient?—Quite, I think.

3522. Mr. *Hankey.*] You have said that you considered that all ships carrying passengers ought to come under the provisions of this Act, without reference to the particular number of passengers they carry?—I consider that all ships

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carrying steerage passengers should come under this Act, but I consider that cabin passengers should not come under this Act.

3523. Would not that oblige a great many merchant ships trading with Liverpool, such as West Indiamen that carry a few sterage passengers, to come under the provisions of the Act, which will be very onerous and very annoying to the owner?—It may be attended with inconveniences of that description.

3524. Would you consider it at all necessary to subject merchant ships generally, although they may take a few steerage passengers, to the provisions of such an Act as this, which appears to be intended for the security either of emigrant ships, or ships carrying a large number of passengers?—I think myself it is a very difficult thing to make an exception; because the people taking tickets imagine that they have the protection of the Act, and that is a point which I wish to see adjusted.

3525. But a passenger in an ordinary merchant ship going to the West Indies as a passenger would not have a ticket at all?—I think he must have it.

3526. By the ticket, you mean some technical arrangement?—A contract.

3527. But a man taking a steerage passage in a West India ship would not have a ticket?—He can be made a cabin passenger by messing him with the first officer and having 36 superficial feet, and paying more than 1*l.* a week.

3528. That is, supposing it is brought under the provisions of an Act which was not intended for that purpose at all?—I do not know that; there is great difficulty. My former argument was, that as much care should be taken of 20 as of 200. I think there would be no objection to letting the passenger go if he knew he had not the protection of the law; but in many cases I am of opinion that the people go under the full impression that they are going in an equally eligible ship.

3529. Captain *Scobell.*] Did you hear Mrs. Chisholm examined?—I did.

3530. She gave a decided opinion, that if there was only one steerage passenger he ought to come under the law respecting emigration?—Yes.

3531. After all, do you return to that opinion as being the safest way; would you have that enacted?—Yes.

3532. Is there any expense to a vessel coming under the Act of Parliament?—Yes, considerable.

3533. In the inspection by yourself and the officers?—Merely the medical inspection; the medical officer has to be paid.

3534. If a vessel be of a seaworthy character, in that respect would there be any expense in the inspection?—Merely the fee to the medical officer, which is 20 *s.* the 100 persons.

3535. If there were 20 or 30 passengers, the expense would be very small?—They are invariably inspected now by the emigration officer, not the medical inspector.

3536. Mr. *Peel.*] You have no difficulty in knowing whether a ship carries emigrants?—None.

3537. Would there not be much room for evasion if a merchant ship, carrying only one passenger, was subjected to this law; how would you know whether there was a passenger on board the ship or not?—The chances are that they would give them 36 feet, and call them cabin passengers.

3538. Suppose there were one or two steerage passengers, how would you ascertain it?—We should never ascertain it.

3539. Then the new law would be evaded?—Yes; we should never ascertain it except by the return at the Custom-house. We have instances of steamers having gone with steerage passengers, and returned them as cabin passengers.

3540. You would not recommend a new enactment, which would be likely to be nugatory?—Certainly not.

3541. And there would be considerable facility for rendering it so?—I think it would prevent people going; if a man knew he was transgressing the Act, I do not think he would do it where he could be fined very heavily.

3542. Now you have no difficulty in knowing it?—No.

3543. Mr. *Hankey.*] If this Act applied to every ship carrying passengers, it would appear to be necessary to oblige every ship, whether taking passengers or not, to place themselves under the provisions of the Passengers' Act; because no captain could tell, till the day before he sailed, whether he would have a passenger on board?—I think there are great difficulties; but from the practice I have seen

I think

I think it necessary to have something very definite. I think, with regard to ports not so much sought for as the United States, Canada, and Australia, that certain exceptions might be made.

3544. *Chairman.*] At any rate, you generally recommend that there should be more stringent regulations?—Yes, that is my view.

3545. Captain *Scobell.*] If it was the law that each vessel intending to take steerage passengers was to report itself to some officer or officers at Liverpool, would not that be sufficient; or, if they did not do so, that they should be subjected to a penalty?—Every ship now lying on for passengers reports itself to the Emigration Office at Liverpool.

3546. Carrying out your own view of extending the law to the smallest number of steerage passengers, would not the same law apply to a small number as to a large?—It would then.

3547. It would not be your duty to go and search, but their duty to come and report?—Yes; but it would add to the expense of the shipowner.

3548. Those who take passengers?—Yes; and no man would think it worth his while in such a case to take two passengers, because the ship comes under survey; she has to provide a fire engine, and a certain limit of boats, and has to have her decks cut for ventilation, all of which would have to be paid for; therefore no ship would take one person or two.

3549. *Chairman.*] With reference to the deficiency of medical accommodation, and the difficulty of getting surgeons, if it be found impracticable to enforce by legislation a surgeon for each ship, would it be your recommendation that the passengers in those ships that do not carry surgeons should have a much larger space allotted to them than they have at present? The American ships give a larger space, do they not?—Yes; they give 14 feet by their law.

3550. Would it not be advisable to adopt the American rule?—I have long held the opinion that the space should be increased in all cases; I consider 12 feet too small.

3551. Mr. *Peel.*] At the present time, is there not in such case a larger allowance of space to each person?—Yes.

3552. *Chairman.*] The Americans allot more space than our vessels?—When they take a surgeon they allot 12 feet. I am of opinion that 12 feet is too little space, either with a surgeon or without.

3553. Mr. *Peel.*] Even on a voyage in high latitudes?—Yes, I think so.

3554. Captain *Scobell.*] What number of feet would you recommend to be allotted when the vessel carried a surgeon?—I should recommend 14 feet; never less.

3555. Would it not be desirable that the owners of a vessel that did not carry a surgeon should be compelled to give the passengers still more space, in order to make it their interest to have a surgeon on board?—My own opinion of space would be to give to every individual, either adult or not, 15 feet.

3556. Children as well?—Yes, that is my view; but perhaps in legislating it would be very difficult to carry it out.

3557. *Chairman.*] Mrs. Chisholm has recommended particularly that, on the Australian voyage, infants should have half the space of adults?—She said that; but I do not know how you would be able to enforce it, as we have generally several children born in each ship that goes out.

3558. Mr. *Hankey.*] You have said that you thought it desirable that this law should apply to every vessel leaving Liverpool that carried any number of passengers, that they should be prevented going to sea, if a new ship, without having had a previous trial; did you ever hear of an instance of a new vessel being sent out to sea for merely a trial?—Never.

3559. Captain *Scobell.*] Would it not be a trial if she went a voyage without passengers?—Yes, a very good trial.

3560. You have known many vessels take their first voyage without emigrants?—Yes; that would be the only way in which it could be done.

3561. *Chairman.*] With regard to survey, the evidence rather tends to show that the survey, or the mustering of the people, does not take place when the vessel is in the river, but that it takes place in the docks?—Yes.

3562. Is it not desirable that that step should take place in the river, inasmuch as emigrants frequently go on board after the mustering has taken place in the

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docks, and you have no means of ensuring that the regulations may not be evaded afterwards?—For the convenience of the shipowners the surveys take place in the docks sometimes; that is the exception, the general rule being the river.

3563. Is there any reason why it should not be the universal rule?—I think it would be attended with inconvenience when ships are neaped, and cannot get out of dock; but otherwise I think all shipowners would rather have their ships cleared in the river than in the dock.

3564. Mr. *Peel.*] You could not require a ship to put to sea immediately after being cleared?—No, the weather might prevent it; and nothing can be better than the way we generally do it in that respect, except we had a steamer to go out in, and examine the ship outside the port.

3565. Have you read the questions on this subject that were addressed to Mr. Murdoch by Mr. Vernon Smith?—Mr. Vernon Smith appeared to be of opinion that after vessels are cleared, they lie in the river and take on board an extra number of emigrants?—Such a thing might possibly now and then happen; but if a ship lies any considerable time in the river, she would be examined again. The last time I appeared before the Committee, I was questioned about the order of the ships. I do not think the Committee understood the Order in Council. These are the regulations that are given to all emigrant ships as to order and discipline. That order does not extend to American ships. I also wish to lay before the Committee the arrangements for boats and fire-engines.

*Vide* Appendix.

3566. Mr. *Peel.*] Would it be an advisable course to extend this 55th section, so as to embrace the stowage of the cargo and other matters?—Yes; that would be as direct a method as any that could be taken.

3567. And at the same time, it would enable the Government to authorise all improvements that might be suggested from time to time?—Yes; but it would have to be peculiarly worded. The draught of water of the ship is very material, and also the stowage. Some inconvenience was experienced the other day as to the "Tayleur." After she went ashore, there was a question raised about her passengers being sent on again. It is under the 47th clause of the Act, which says, "If any passenger ship shall from disaster at sea, or any other cause whatsoever, put into any port or place, and shall not be made sound and seaworthy." From the word "wrecked" being omitted, there has been great doubt whether the owner of the ship could be compelled to send the passengers on or not. The "Tayleur" did not put into any port from disaster at sea; she sunk, and there were only two people taken off her, who were taken out of the foretop; a question therefore arose as to the disposal of her passengers. The owner came forward most handsomely, and put the thing on a proper basis, and said he would send them forward. It is very desirable that that should be remedied.

3568. Mr. *Peel.*] If those passengers had been taken off at sea, there would have been no difficulty whatever?—No; she had not put into port from disaster; the word "wrecked" was omitted. It is desirable that that should be remedied.

3569. Would you increase the liability of the charterers for expenses incurred in forwarding wrecked passengers, or passengers landed out of the course intended to be taken by the ship? What is the present liability of the charterer for those expenses?—The present liability is the amount paid by the passengers for the passage; and you cannot recover from the charterer of the ship more than that, whatever may be the expense incurred in sending them on.

3569.* It appeared lately that a ship was wrecked on the coast of South America, and that a cost of 10,000*l.* was incurred in forwarding the emigrants to Australia; it was impossible to recover more than a fraction of that sum, in consequence of this limitation of liability. Would you extend that liability, or not?—I think I should not; it is an exceptional case. It appears to me it would be hard on the shipowner to extend it because you would make the charterer pay a good deal more money than he would even receive.

3570. You will admit that a vessel could not be taken up so cheaply in South America as at Liverpool, therefore in all probability the expenses will generally, and not merely as an exception, exceed the sum paid for the passage?—Certainly, the sum will exceed the passage money, but I do not think it would be judicious to increase the liability.

3571. *Chairman.*]

3571. *Chairman.*] Is there any other matter which you wish to state to the Committee?—Yes, as to the last part of the 45th clause: "Provided that, if any such ship be unavoidably detained, either by wind or weather, and the passengers be maintained on board in the same manner as if the voyage had commenced, no such subsistence money shall be payable." Australian ships very rarely sail to their day; it is not possible to do so. The passengers frequently come up; and certainly it appears very hard that a man who comes up with his wife and five children should have to live at Liverpool a long time on a shilling a day; in fact it cannot be done, and they frequently complain. I was thinking whether it would not be judicious, after a certain day, to increase their detention money. The shipowner cannot go to sea till his ship is full; but the shipowner may be disposed to give these people something more after a certain time, say 10 days, and then increase each successive week a shilling. It certainly appears to me that the present shilling a day does not meet the case of Australian ships, although it does the American ships, because they sail weekly; their detention is not similar; but the Australian ships do not sail sometimes for a month. I merely state this for the consideration of the Committee, as to whether it would be judicious or not.

3572. Mr. *Peel.*] Are these vessels unavoidably detained?—They are not unavoidably detained; they are not ready. It is the quantity of the detention money I speak of; the subsistence money is paid now, when they are not unavoidably detained. If the ship goes into the river, and she is staying for her own purposes, although she subsists the people, the detention money is paid; but if she is lying there only one or two days to settle herself, it is not demanded. This is the only compensation to the people, and after all it is only a very small compensation. The particular case that I wish to bring before the Committee is, that sometimes people come to Liverpool when the ship really ought to be ready, and she is not near ready, and they have to live in Liverpool on this shilling a day for three weeks. I would give them ten days before it should be increased, and then it should only be increased probably another shilling, and at the end of the month it should be doubled.

3573. Is there any limit to the time that a ship may be detained?—No; I do not think there is. It was said at one time that they came under the 44th clause, but I do not think it bears on it.

3574. *Chairman.*] The subsistence money would be a good check?—It would keep all parties up to the mark, and be beneficial to the shipowner and to the emigrant.

3575. Is there any day named in the contract ticket?—They do not sail according to the advertisement; there is scarcely any instance of it within 10 days. The thing has been tried at Liverpool. If the shipowner were to give the emigrant a trifle more, I think it would be beneficial to all parties. With regard to the prepaid Irish passengers, they come forward, and sometimes are not taken out in the ship they are intended. I wish to point out to the Committee that it would be beneficial to give these people some protection, that they should be sent forward within a certain period.

3576. Do you consider that the number of passengers should be further limited?—I think 500 is the extreme number that any ship should carry.

3577. Do you think that, in the case of Irish passengers, some means should be taken to ensure that they should not be delayed?—Yes, I think so.

*Martis, 9° die Maii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Mr. Liddell. |
| Mr. George A. Hamilton. | Mr. Hankey. |
| Mr. Fagan. | Mr. M. Milnes. |
| Sir T. Herbert. | Sir J. Anderson. |
| Captain Scobell. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

*Henry Watson*, Esq., called in; and Examined.

*H. Watson*, Esq.
9 May 1854.

3578. YOU are Mayor of Limerick?—Yes.

3579. You have been acquainted for several years with the state of emigration at your port?—Yes.

3580. The Committee have understood that there have been recently some very afflicting cases of the breaking out of disease on board of emigrant vessels in the river of Limerick; has that matter come under your particular notice?—There have been afflicting circumstances which induced me to address the Lord Lieutenant, which correspondence, if you will permit me, I will read; it is not voluminous.

3581. Does the correspondence state the matter in detail?—It does; in fact, it will give you more information than any interrogatories you may address to me. On the 8th of April, I addressed the Lord Lieutenant as follows:

Sir, Town Hall, Limerick, 8 April 1854.

I HAVE the honour to apprise you, which I do with deep concern, for the information of his Excellency the Lord Lieutenant, that cholera rages considerably in this city, and that many deaths have ensued.

It being communicated to me this morning that the disease has reached the ships in this port receiving emigrants for America, I visited them and found that the statement is too true; and on interrogating the owners, I was informed that they are not bound by law to send a medical officer with the vessel on its voyage. This is truly awful, as the number of human beings, exceeding 1,500 (exclusive of crews), may be perilled without the assistance of professional advice.

The following are the vessels. They are reported to me by Captain Ellis, the Government Emigration Agent here, to be seaworthy, viz.:—

| | | | | | |
|---|---|---|---|---|---|
| "Jessy" | - | with 280 | passengers | - | for Quebec. |
| "Closina" | - | 188 | ,, | - | ditto. |
| "Primrose" | - | 235 | ,, | - | ditto. |
| "Energy" | - | 104 | ,, | - | ditto. |
| "Triumph" | - | 96 | ,, | - | ditto. |
| "Thetis" | - | 182 | ,, | - | ditto. |
| "Ranger" | - | 70 | ,, | - | ditto. |
| "Eleanor" | - | 85 | ,, | - | New York. |
| "Jane Black" | - | 280 | ,, | - | Quebec. |

The two first sail on Monday; the remainder in a week or fortnight.

I have no legal power to detain the vessels, which I certainly would until physicians were procured; and I, therefore, respectfully submit the case to the Lord Lieutenant, trusting that his Excellency may nominate medical men to accompany these vessels, or to suggest and direct such measures as his Excellency may deem right, as the public mind here is very much disturbed on the subject.

I have, &c.

(signed) *Henry Watson*,
Mayor of Limerick.

Lieut.-colonel Larcom, Assistant Secretary, Castle, Dublin.

3582. Does

3582. Does that correspondence include any notice of the provisions of the Passengers' Act, which enables a vessel to dispense with a surgeon?—Hereafter you will see in the correspondence. That is all elucidated in the correspondence, and I have brought the Act of Parliament with me. Up to that morning 130 deaths had occurred in the hospital from cholera.

3583. In these vessels?—No; generally in the town. With the letter which I wrote to Colonel Larcom, I sent Dr. Brodie's report:

Sir, Limerick, 8 April 1854.

REFERRING to my letter this forenoon, I beg to send you Dr. Brodie's report of the number of cases from the emigrant ships at this port.

(signed) *Henry Watson.*

Lieut.-colonel Larcom.

This is the report—

My Dear Mayor, 8 April, 49, George-street, Limerick.

ANNEXED you have (in accordance with your request) the names of the persons who have been received into the St. John's Cholera Hospital within the last few days from on board the emigration vessels, the "Jessy" and "Closina," now in this port:—

Sarah King,
Jerry Sheahan,
Mary Whelan,
Jane Giles,
Joseph Davis,
Mary Hanly,
Michael Keeffe,
Mary Doody,
Thomas Welsh.

Should you require any further information or assistance in your laudable endeavour to preserve human life during the prevalence of this fearful epidemic, you may command yours faithfully,

(signed) *T. Brodie*, M.D.,
Medical Officer, St. John's Cholera Hospital.

Henry Watson, Esq.,
Mayor of Limerick.

This was on the Saturday that I wrote to the Lord Lieutenant; and on the next day, the Sunday, the Secretary wrote me the following reply; he communicated my letter immediately to his Excellency:—

Sir, Dublin Castle, 9 April 1854.

I HAVE to acknowledge your letter of yesterday's date, relative to the outbreak of cholera on board certain emigrant ships in the port of Limerick; from two of which, the "Jessy" and "Closina," the report of Dr. Brodie shows that no less than nine cases have been sent to the hospital within the last few days.

I am directed by the Lord Lieutenant to call your special and immediate attention, and that of the emigrant agent at the port of Limerick, to the provisions of the 15th & 16th Vict. c. 44, ss. 38 to 42, by which you will observe that special directions are given as to the course to be taken in such cases; and his Excellency entertains no doubt that both you and the emigration officer at the port will see that these provisions of the Act are complied with before the ships are permitted to leave the port.

I am, &c.

The Mayor of Limerick. (signed) *Thos. A. Larcom.*

On receiving that letter I addressed the Government emigration agent in Limerick, who is a commander in the Royal Navy, Captain Ellis, as follows:—

Sir, Town Hall, Limerick, 10 April 1854.

I BEG to enclose you a copy of a letter which I received this post from the Secretary of the Lord Lieutenant, and shall thank you to inform me if the provisions of the Act of Parliament respecting the emigrant vessels and passengers are fully complied with. My anxious wish is to ascertain if the vessels are provided with medical officers, as every danger may be apprehended in consequence of cholera having broken out in some of the ships, now receiving passengers at our quays, destined for America.

I have, &c.

(signed) *Henry Watson,*
Mayor of Limerick.

Capt. Ellis, Emigration Officer.

To which he replied—

Sir, Government Emigration Office, 10 April 1854.

I HAVE the honour to acknowledge the receipt of your letter of this day, enclosing that of the Secretary of the Lord Lieutenant of Ireland, and I have to inform you that all the conditions and stipulations contained in the Passengers Act, whether relating to medicines,

*H. Watson*, Esq.

9 May 1854.

medical superintendence, or internal arrangements of emigrant ships, have been and will continue to be most strictly enforced.

I have, &c.
(signed) *Wm. Ellis*, Com. R.N.,
Government Emigration Agent.

Henry Watson, Esq.,
Mayor of Limerick.

To which I replied, because he did not answer the question I put to him, as follows :—

Sir, Limerick, 10 April 1854.

REFERRING to your letter of this day, I shall feel obliged by your stating if any medical officer or officers accompany the vessels taking in passengers at this port for America.

Yours, &c.
(signed) *Henry Watson*,
Mayor of Limerick.

Captain Ellis, &c.

Then his reply was thus :—

Sir, Emigration Office, Limerick, 10 April 1854.

WITH the exception of the ships "Jessy" and "Primrose," the emigrant vessels leaving this port will sail without having on board medical officers, which they can all do by giving each passenger fourteen superficial feet.

I am, &c.
(signed) *Wm. Ellis*, Com. R.N.

Henry Watson, Esq., Mayor of Limerick.

So that a vessel with 499 emigrants may sail without a medical man, if it has the superficial feet; and a small vessel can be sent to sea if it has only 99 on board. In consequence of that letter I wrote to the Lord Lieutenant's Secretary as follows :—

Sir, Town Hall, Limerick, 10 April 1854.

I HAVE the honour to acknowledge the receipt of your letter of the 9th instant, the contents of which I communicated to Captain Ellis, the emigration officer, who acquaints me (which I had prior knowledge of) that the Acts of 15 & 16 Vict. c. 44, sec. 38 to 42, have been complied with. It is, however, unfortunate that the Act does not provide for the employment of medical gentlemen on board, and to which I respectfully draw the attention of the Lord Lieutenant; but it is not too late, by his Excellency giving directions that such aid should be rendered, as it will be too cruel to trust nearly 2,000 persons in a passage across the Atlantic without a physician.

I beg to enclose Captain Ellis's letters to me, and I grieve to say that four more persons were taken out of the emigrant ships on yesterday and this morning, and they are now dying of cholera.

I trust his Excellency will forgive my importunity on this painful subject; but the public mind is much disturbed in thinking that so many human beings will be allowed to cross the Atlantic without the aid of medical assistance, particularly as a direful epidemic prevails.

I have, &c.
(signed) *Henry Watson*,
Mayor of Limerick.

Lieut.-colonel Larcom.

The reply is as follows :—

Sir, Dublin Castle, 11 April 1854.

I AM directed by the Lord Lieutenant to acknowledge your letter of yesterday, and to state the provisions of the Passengers' Act referred to, having been, as reported both by you and the emigration agent at the port of Limerick, fully complied with, his Excellency deeply regrets his not having the power to make the order sought, or further to interfere.

I am at the same time to request you will call the immediate attention of the owners and masters of those vessels to the very serious responsibility they will incur by permitting any of those vessels to sail under the circumstances stated in your letter, without having a proper medical officer on board, should any death occur from cholera during the voyage.

I am, &c.
(signed) *Thos. A. Larcom.*

The Mayor of Limerick

That letter I communicated to Captain Ellis, and he informed me that he communicated with the different owners of vessels.

3584. How many vessels altogether were there?—Nine altogether.

3585. Did not some of those vessels proceed to sea?—All the vessels did, except the two enumerated by me, the "Thetis" and the "Primrose;" all these

these vessels went without medical men. The "Thetis" had a medical man on board, but he was not qualified; however, they had some confidence in having even an apothecary on board. The "Primrose" had a qualified doctor.

3586. Mr. *Fagan.*] Were those passengers all to North America?—Yes.

3587. Did the number exceed 100 in each vessel?—They were under 100; there were only 99.

3588. In the ships which exceeded 100, how many feet had the passengers?—Fourteen.

3589. Then they complied with the law?—The law is rigidly complied with; there is a most rigid emigration officer there; but what I would suggest is, that there should be some alteration or amendment as to medical men. The vessels are sufficiently found, and well provided as to stock, and everything else.

3590. Mr. *Liddell.*] Has the arrival of those vessels on the other side of the Atlantic been reported?—Not one yet.

3591. Sir *T. Herbert.*] When did they sail?—On the 10th of April.

3592. Captain *Scobell.*] Did they all sail, notwithstanding this remonstrance?—They all sailed except the two I have mentioned.

3593. Mr. *Liddell.*] Namely, the "Thetis" and the "Primrose"?—Yes.

3594. *Chairman.*] The cause of those two not sailing was that the medical men were not qualified?—Yes; that I have from Captain Ellis.

3595. Mr. *Liddell.*] Are you aware that very great difficulties have been experienced, almost universally, in obtaining properly qualified men to go upon North Atlantic voyages?—Yes; because the remuneration to a medical man is so limited, that a very few will accept it. That could be obviated by fixing a tax of 4 *s.* per head upon each passenger, which would fully compensate any young man who had got his diploma.

3596. Would not that additional charge have a tendency to lessen the amount of emigration?—No; I do not believe it would.

3597. Captain *Scobell.*] You are not under any alarm that emigration will not go on fast enough?—No; all the people who are out going now are emigrating to their friends.

3598. They are emigrating at a rapid rate?—They are, at a very rapid rate; I can give you the number of persons that have gone this year.

3599. Sir *T. Herbert.*] Is there any diminution?—I should think not.

3600. Mr. *Fagan.*] Supposing that the provision of the law was, that every emigrant vessel should take a medical officer, seeing the rate at which emigration is now going on, would you have a medical officer for every vessel?—Certainly; my most anxious wish is, that there should be some provision in the Act of Parliament which should make it mandatory on the owner of a vessel to have a medical man on board. This is a very important document I am now going to read.

3601. *Chairman.*] State its nature?—It is as to the clearance of vessels out of the port of Limerick. I addressed the collector at Limerick to know what he meant by a clean bill of health, and he sent me the following reply. It struck me that a vessel could not sail without a clean bill of health, otherwise it must undergo quarantine wherever it is going to. This is the reply: "Custom house, Limerick, 18th April 1854. Dear Mr. Mayor,—With reference to your letter of this date, inquiring what steps are taken by the owners of emigrant vessels at this port to obtain from this department a clean bill of health, I beg to acquaint you, that the usual form of this document has, since the cholera has been officially declared to exist in this city, been altered as noted in the enclosed specimen, in compliance with an order of the Lords of Her Majesty's Privy Council, dated in September last, and issued on the occasion of this disease appearing at Newcastle.—I am, dear Mr. Mayor, yours faithfully, *Fredk Trevor.*" Now this is the preliminary form: "Now know ye, that we, the said officers, do hereby make it known to all men, and pledge our faith thereunto, that at the time of granting these presents no plague or any dangerous disorder, except epidemic cholera, exists in the above port or neighbourhood." And upon that certificate a vessel full of cholera can proceed to sea. That is from the collector of Limerick, and is in his handwriting.

3602. Captain *Scobell.*] Did the vessels sail with documents of this sort?—They all sailed with a document of that sort; that is a copy that is officially

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sent to me, and these written words are introduced, by order of the Privy Council, by the collector.

3603. Mr. *Liddell.*] In fact, it is an unclean bill of health?—Yes.

3604. *Chairman.*] Have you any reason to believe that the officer who returned this answer to you exceeded his duty, or wrongly interpolated those words in writing?—On the contrary, he adhered strictly to his duty, because he explains his duty in the letter. I give the document as I received it from the collector, a most correct officer.

3605. Mr. *Hamilton.*] Did you take any steps, in consequence of receiving that letter, to make further inquiries?—I could not take any further steps in consequence of my having addressed the Lord Lieutenant on the subject of the complaints that I considered existed in the despatch of emigrant vessels from Limerick.

3606. Did you see the collector on the subject?—I did.

3607. Did you ask any explanation with reference to that order from him?—I did not ask him; he said that that was in discharge of his duty.

3608. Did you bring it under the notice of any of the higher authorities, the Lord Lieutenant for instance, or make any application on the subject to the Lords of the Privy Council, from whom it came?—His Excellency's last reply prevented me from addressing him further on the subject, because he said that the provisions of the Act having been complied with, he could not interfere.

3609. Does it occur to you that you might have made an application either to the Emigration Commissioners here, or to the authorities connected with the Privy Council, from whom that order came?—No, I did not think it would be right for me, as I was so soon to come over here.

3610. Mr. *M. Milnes.*] Are you quite sure there is no other special clearance for cases of epidemic cholera?—I am sure there is no other record than that of the clearance from the Custom-house; there is no other department in Limerick that the vessel applies to but the Custom-house: the Custom-house is the last place they go to; the vessel is viewed by the emigration agent; he reports that all is right, that the provisions are good, that the vessel is seaworthy, and has got a good crew.

3611. How do you, in your own mind, explain this exception, made in the case of epidemic cholera?—I cannot account for it; I am sure that the wisest man that ever lived could not account for it.

3612. May not the existence of epidemic cholera have been provided for by some other temporary regulations that are not before us?—There is no other arrangement in the port of Limerick except that which comes from the Custom-house; that is the usual declaration made by the collector, as to the vessel going to sea: first the collector receives the report I have mentioned from the Government emigration agent, that all the provisions of the Act of Parliament have been complied with; then upon that he gives what he calls a clean bill of health.

3613. But it is apparent that here the provisions of the Act were not complied with; therefore we wish to know whether that was regarded as a clean bill of health?—The collector considers it a clean bill of health; and if the collector issues that from his office as a clean bill of health, the master of the vessel is perfectly satisfied.

3614. Does not the collector by the very fact of the insertion of those words, imply that it is not a clean bill of health?—The collector cannot bring his masters to account. It is they who have sent him the order, and he must comply. It is to amend the Act of Parliament that I am here; to point out its inconsistencies and incongruities.

3615. Is not this rather an infringement of the Act of Parliament, than anything suggesting an amendment of it?—I am not lawyer enough to give an opinion upon that subject. If the collector obeys his instructions, that is all he is answerable for.

3616. Mr. *Hankey.*] Are you acquainted with the Custom-house regulations at Limerick, in your official capacity?—Generally, I am.

3617. And do you believe that the collector of the Customs at Limerick considers a vessel, with cholera known to be on board, entitled to a clean bill of health under the existing orders?—At the time he and I was speaking on the subject, he thought it was inconsistent.

3618. I want a distinct answer to that question?—I think it is most inconsistent.

3619. The question is, do you know or believe that the collector of Customs considers himself entitled to give a clean bill of health to a vessel known to have cholera on board?—I think his line of duty is marked out by the directions he receives from his superiors.

3620. May we put down, as the answer to that question, that he does consider himself so entitled?—Yes.

3621. Captain *Scobell.*] You do not call it a clean bill of health if he inserts that there is cholera on board?—I do not; on the contrary, I consider it a foul bill of health.

3622. In fact, all those vessels sailed without a clean bill of health?—They sailed with what is called a clean bill of health; but if I was to define it, I should call it a foul bill of health.

3623. What interval was there from the time you knew cholera was on board in any of those vessels, to the time the last of them sailed?—Cholera still exists in Limerick.

3624. Keeping your recollection on those vessels from the time you knew cholera was on board to the time either of them sailed, what interval was there?—One, two days, and the other seven days.

3625. Did the master or the owner try to get any medical man?—Mr. Todhunter, the owner of one of the vessels, made very great exertions to get a medical man.

3626. Were there any to be got?—They are very difficult to be had.

3627. Did he succeed?—Yes.

3628. *Chairman.*] In reference to those cases, what further statement do you wish to make?—I have brought the clearance certificate for passengers shipped; this was obtained from Captain Ellis by me.

3629. What remark do you wish to make on that?—That certificate enables an owner to send his vessel to sea without a medical man, if he complies with the provisions of the Act of Parliament, and which Act, as I stated before, is very deficient in two points; and these two points, if you will allow me, I will mention.

3630. Captain *Scobell.*] Are you a medical man?—No, I am not.

3631. *Chairman.*] State the points, then?—The first is, that I think no vessel with emigrants should proceed to sea without a medical officer; if Government sends 20 convicts from the port of Cork to Dublin, or *vice versâ*, there is a medical man on board.

3632. Mr. *Hamilton.*] Do you make that observation without any qualification, or without reference to the number of emigrants, say 20?—No vessel would ever proceed to sea with less than 100; it would not compensate the owner to do so.

3633. How do you determine the difference between emigrants and passengers?—Passengers I will call them, if you please.

3634. You think no vessel should proceed to sea with passengers, whatever their number might be, without a surgeon?—Yes.

3635. Mr. *Fagan.*] We have here a return stating that the number of ships despatched with emigrants for the two last years amounts to 4,839; that is, on an average, 2,400 ships a year; would you have a medical man provided for every one of that large number of ships?—I would; and, if you will permit me, I will give you an account of the number of vessels that left Limerick for America in 1852, 1853, and 1854, the number of passengers, and the number of doctors on board, which may be of some interest.

3636. Of course we must legislate for the entire community if we legislate at all in respect to that subject, and here we have an authentic return of the number of vessels that left this country with emigrants in the last two years, the number of ships amounting altogether to 4,839, making an average of 2,400 ships a year?—Yes.

3637. Captain *Scobell.*] Some of these vessels make more than one voyage in the year?—Yes; two voyages they sometimes make.

3638. Sir *T. Herbert.*] Do you know of many vessels coming within the number, to avoid taking medical men; limiting their number to 99 passengers?—I do.

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3639. How many instances do you know?—My attention has not been called to it till lately.

3640. Is it your impression that they avoid having a surgeon by just coming one within the Act?—I am sure they do; I will mention a communication that I had from an owner last Friday, in Limerick: he told me that he could take 120 persons on board, but he did not wish to send a medical man, and he would confine the number to 99, where a medical man is not required.

3641. Captain *Scobell.*] You were about to state some figures you have in your hand; will you now state them?—This is from Captain Ellis, the Government emigration agent; he writes the memorandum; "The following number of passenger ships cleared from this port for the States and Canada: in the year 1852, 53 ships left Limerick, with 8,035 emigrants and six doctors."

3642. Mr. *Hamilton.*] Do you mean 53 distinct ships, not counting ships making a second voyage?—I cannot answer that. "In 1853, 45 ships, with 7,539 persons and six doctors; in 1854, up to last Saturday, 15 ships, 1,958 persons and three doctors."

3643. Captain *Scobell.*] Do you know whether the vessels that take out those emigrants from Limerick usually have cargoes on board?—Never.

3644. *Chairman.*] Have you been on board them often?—I have.

3645. Have you noticed any of the arrangements below, the fittings?—They are very good indeed.

3646. Does there appear to be provision made for the separation of the sexes?—Yes.

3647. Effective provision?—Yes; they could not leave Limerick without being well provided, in consequence of the vigilance of Captain Ellis.

3648. Are you aware of the requirements of the Passengers' Act with respect to the fittings below?—Yes.

3649. They are in every respect so in accordance?—In every respect.

3650. Have you looked to the point of the water-closets?—I think there is a great deficiency and want there.

3651. In any of these cases, did you find these water-closets between decks?—Yes, in some of the larger vessels.

3652. Were the vessels in which you saw these water-closets vessels belonging to the Emigration Commissioners?—No; they are private property.

3653. In other vessels, where were the water-closets?—On deck.

3654. Forward or aft?—Aft.

3655. Do they appear substantially erected?—Before they went to sea they appeared very good.

3656. Were they enclosed?—I never heard any complaint made of them.

3657. Sir *T. Herbert.*] You see no want of anything on board those emigration ships, as far as has come within your knowledge, except the want of medical assistance?—No.

3658. In every other way the vessels are well found?—Yes; in every other way, as far as they have come within my observation.

3659. *Chairman.*] Do you recollect the case of the bark "Huron"?—No.

3660. Captain *Scobell.*] Are any of the vessels which sail from the port of Limerick American or other foreign vessels?—All English vessels.

3661. Or Irish?—They may be occasionally; last year there were two American vessels.

3662. Not, of course, belonging to the port of Limerick?—All the vessels that have sailed this year belong to merchants in Limerick.

3663. And they occupied specially with emigration, and do not enter into general commerce at all?—They bring home timber.

3664. Outward?—There is no cargo, except the human beings, on board.

3665. Do any of them come from England or other ports to Limerick?—Sometimes the owners of vessels having a limited number in Limerick, hire vessels, and bring them from England.

3666. Do they come in ballast?—Yes, and sometimes they bring coals.

3667. Mr. *Hamilton.*] State now the second alteration which you suggest in the Passengers' Act?—It is that a clean bill of health should be most studiously looked after. On passing through Dublin, on Friday, I received the following letter from Sir Burton M'Namara, who is a captain in the Royal Navy, a gentleman whom you have the pleasure of knowing; he writes as follows: "My dear Mayor,—Some of the memorialists are poor tenants of mine, and I am induced to

to interfere for them, as they know that you are a friend of mine. I feel assured that on your applying to the shipowners, that they will order them a passage or refund the money.—Yours truly, *Burton M'Namara.*" This memorial is addressed to me, and is as follows: "The memorial of Mary Shannon, her two children, and her brother, Patrick Musgrave, humbly showeth, that they engaged a passage from Mr. Doherty, at Kilrush, in the ship 'Primrose,' for Quebec, for which they paid 11 *l.* 5 *s.* That after disposing of everything they had, to enable them to do so, and after going to Limerick and taking their berths in the vessel, the cholera appeared among the passengers, one of whom, named John Slattery, being in next berth to memorialists, was taken to hospital, where he died. By the time the vessel arrived at Kilrush some of the passengers were taken by the disease, and were removed to hospital, one of whom died immediately. Memorialists being alarmed at the appearance of the disease, and fearing that it would attack both crew and passengers, left the vessel in terror. Memorialists further beg to state that they are extremely poor, having no means of subsistence whatever, and must consequently become inmates of the workhouse, unless you kindly take into consideration their case, and either order to refund them their money, or allow them a passage in the next vessel.—Yours will ever pray, *Mary Shannon*, and two children, *Patrick Musgrave*, all of Tramore." I suppose this was intended to be addressed to Mr. Harvey. As I mentioned before, I received this on Sunday last, in Dublin; of course I had no means of having a communication with Mr. Harvey, but I read this to show what terror there was on board, where there was cholera. I was mentioning that the vessels from Limerick are very well found, and that all the provisions of the Act are very well complied with. Last Friday, at our petty sessions, the owner of a vessel was summoned for taking passage money, to the amount of 21 *l.*, from six persons; they had arrived in town before the vessel sailed, but there was no room on board; the persons summoned the owner before the magistrates, and they confirmed the award of Captain Ellis, who gave the passengers 20 *l.* as compensation; excepting that solitary instance, I do not know that the shipowners of Limerick have not complied with the law.

3668. Captain *Scobell.*] Can you tell what effect the emigration which has been going on in your locality and district has had, or is likely to have, on the population, as to numbers?—I am sorry to say it has drawn from our district the very best description of men.

3669. What has the effect been on the labour market; first of all, as to the practicability of getting efficient labour, and as a remuneration of that labour?—The fact is, that labourers' wages have been increased, and the number of the labourers themselves has diminished.

3670. To an inconvenient degree?—Very inconvenient.

3671. *Chairman.*] Is the emigration still going on?—Yes.

3672. Captain *Scobell.*] What are the weekly wages of an agricultural labourer now?—I am sorry to say only 6 *s.* a week; in some parts of the country there are greater scarcities than in others; the general average is 6 *s.* a week.

3673. *Chairman.*] What was the average before?—Five shillings.

3674. Captain *Scobell.*] Do the emigrants who are now going get money sent to them from America?—Most of them. I know that many declarations come through my hands relating to money to take their friends out.

3675. Do you find the disposition to emigrate is increasing, from the numbers who have emigrated, from their having friends who have already emigrated; is there less disinclination to leave the country than there was?—Less; they all volunteer to go.

3676. *Chairman.*] The remittances are increasing?—Yes.

3677. Are you able to give an approximate estimate of the amount of money which is sent home by emigrants to their friends?—No.

3678. Mr. *Fagan.*] They are enabled by means of the remittances from their friends to leave a country where they get 6 *s.* a week, to go to a country where they get 1 *l.* a week?—I do not know what they get; it is more than 30 years ago since I was Mayor of Limerick before.

3679. Captain *Scobell.*] On the whole, do you think it is wise to do anything which would stimulate emigration, or that it would be wise, if anything, rather to restrain emigration, so far as proper regulations go?—I should not like to restrain emigration.

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3680. I do not mean to restrain it, but to prevent its abuse?—I think I would rather encourage a poor man to go, to improve his livelihood.

3681. Are the emigrants that go principally Protestants or Roman Catholics?—Mostly all Roman Catholics.

3682. The population in your neighbourhood is mostly so?—Yes; they are a well conducted set of people.

3683. Are there many Protestants who go?—Many; I know almost an entire colony from an estate in the county of Limerick.

3684. Supposing there to be 1,000 Protestants and 10,000 Roman Catholics, is the same per-centage good?—The Roman Catholics exceed.

3685. Mr. *Fagan.*] Does not the emigration principally consist of young females?—And young men too.

3686. Is not the greater proportion in your port, females?—I think most of the females now go to Australia.

3687. Is that the case, taking the emigration as a whole, from your part of the country?—I think when the heads of the families go, the entire family accompanies them.

3688. *Chairman.*] Have you seen convict ships departing from Limerick; have you been at all cognisant of their arrangements?—The convicts are better provided for than the emigrants.

3689. Have you been on board of them?—I have been on board many convict ships at Kingstown; we have no departures by sea of convicts from Limerick.

3690. In all cases, they have a surgeon who is a competent person in charge?—If there were 20 convicts ordered to go from Cork to Dublin, there would be a doctor accompanying them.

3691. The space allowed to them is larger a great deal than the space allowed to emigrants?—Much larger.

3692. Altogether, the accommodation given is superior?—In convict ships far superior.

3693. Are you aware of the nature of the dietary?—The dietary on board the emigrant vessels all depends on the unfortunate man himself. He gets biscuit and water supplied; but they generally take their own provisions.

3694. Sir *T. Herbert.*] With regard to the vessels which sail from Limerick, having a doctor on board, which take above a hundred passengers, and those who sail without a doctor, is the passage-money higher in the one than in the other?—There is no difference in the passage-money, whether there is a doctor or not.

3695. Do you know whether a person goes out cheaper in a vessel which has no doctor on board, than in a vessel which has one?—There is no charge for a doctor.

3696. Would the effect of making the law imperative to have a doctor be to increase the passage money, and prevent people going out?—Certainly not, in my opinion.

3697. Mr. *Hankey.*] Do you say that the passage in a vessel without a doctor is not cheaper than in one with a doctor?—Not cheaper.

3698. Captain *Scobell.*] You have stated that you considered the emigrant vessels which sailed from the port of Limerick complied with the Act of Parliament?—Yes.

3699. Now you have been asked about the provisions and the dietary, and your answer was, that they got biscuit and water, but found themselves?—Yes.

3700. Are you aware that, by the Act of Parliament, there is a dietary scale, by which they are bound to be found rice, oatmeal, and sugar?—Yes, I have the document here; what I mean is the substantials.

3701. Do they not comply with that part of the Act of Parliament?—Of course they do.

3702. There is so much bread and biscuit, a pound of wheaten flour and rice, sugar, tea, or cocoa; do you think the various provisions enumerated in the dietary scale of the Act of Parliament are provided?—Yes, but when I spoke about the passengers, I meant that they generally take extras.

3703. There is no meat in that dietary table?—There is not, nor potatoes.

3704. Have you ever heard any complaint on that point?—No, I have not.

3705. The Irish peasantry, and those who emigrate, are in the habit previously of living a good deal on potatoes?—When they have got them, and

potatoes

potatoes are abundant now, there is scarcely a man who goes out but takes a bag or two of potatoes. *H. Watson*, Esq.

3706. Have you anything else to suggest?—I do not think I have any other information. I forgot to mention that in an interview which I had with Colonel Larcom, the Under Secretary, he said he was sure Sir John Young would be quite happy to introduce those two clauses which I spoke of. 9 May 1854.

3707. *Chairman.*] One with regard to the clearance, and the other with regard to medical men?—Yes.

3708. Mr. *Fagan.*] Do I understand, that if there be no contagious disease on board a vessel, the vessel would be then entitled to a bill of health, although sickness of another description may prevail?—Not on board, but in the place where she sailed from.

3709. Supposing the cholera was not considered a contagious disease, would you then think that a vessel clearing from a port with cholera on board would be entitled to a clean bill of health?—Certainly; the best medical men are divided in opinion as to cholera being contagious.

3710. Captain *Scobell.*] Are you aware that, under the 42d clause of the Act, diseased passengers may be re-landed?—They may.

3711. Were any of those cholera patients re-landed from those vessels having cholera on board?—That last letter that I read from Sir Burton M'Namara actually shows that some of them did.

3712. Did you, as mayor of Limerick, take any steps to investigate or examine the vessels as to their state of health, and re-land those who had cholera?—There were none that came under my authority. There were no steps, I hear, taken by the authorities at Kilrush.

3713. Mr. *Fagan.*] Did you understand from the Custom House authorities that the reason that alteration was made in the Bill of Health was that the cholera was not considered a contagious disease?—That was the reason given; we supposed that was the case.

*Thomas William Clinton Murdoch*, Esq., called in; and Examined.

3714. *Chairman.*] THE last witness, the mayor of Limerick, in reference to the case of nine vessels which took their departure from the port of Limerick last April with cholera on board, has put in certain documents, amongst which is a letter to the collector of customs at Limerick, asking the definition of a clean bill of health, in order to know when a vessel would be cleared. The answer to that letter is this: "Custom House, Limerick, 18th April 1854. Dear Mr. Mayor,—With reference to your letter of this date, inquiring what steps are taken by the owners of emigrant vessels at this port to obtain from this department a clean bill of health, I beg to acquaint you, that the usual form of this document has, since the cholera has been officially declared to exist in this city, been altered as noted in the enclosed specimen, in compliance with an order of the Lords of Her Majesty's Privy Council, dated in September last, and issued on the occasion of this disease appearing at Newcastle.—I am, dear Mr. Mayor, yours respectfully, *Fredk. Trevor*, Collector." The statement in the bill of health is this: "Now know ye, that we, the said officers, do hereby make it known to all men, and pledge our faith thereunto, that at the time of granting these presents, no plague, epidemic, cholera, nor any dangerous or contagious disorder exists in the above port or neighbourhood. In testimony whereof, we have hereunto set our names and seal of office on the day and year aforesaid." The document is altered by striking out the words, "epidemic cholera" after "plague," and instead of "any dangerous or contagious disorder," the words "or contagious" are struck out, and "except epidemic cholera" is interpolated in writing. This is the document referred to in that letter, and which he states to be so ordered by Her Majesty's Privy Council?—This is the first time I ever heard of anything of the kind. Our officers would not clear a ship with cholera on board, undoubtedly. We have reports from the emigration officer at Limerick, that cholera had occurred in a number of ships there; that he had removed all the patients out of the ships, and that the ships had not been allowed to proceed to sea until they were believed to be entirely free from disease. *T. W. C. Murdoch*, Esq.

3715. That is from Captain Ellis?—Yes.

3716. Captain *Scobell.*] Is that recently, during April?—Yes; they are the same

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vessels, no doubt; I have not got his last letter. I came down to the Committee in a hurry when I was sent for, and I have not brought his letter with me; but I have brought a letter with me which we wrote on the 3d of this month, with reference to the letters which we had received from him before, dated in April, and which referred to those ships; those are the only ships which have gone from Limerick with cholera. This letter we wrote in consequence of a letter from the Board of Trade, with reference to a correspondence they had received through the Home Office, suggesting that it would be very desirable to carry out in all cases of emigrant ships the provisions of the Mercantile Marine Act in regard to the accommodation of the crews; that was the only extent to which the Board of Trade could interfere. In the correspondence between the Mayor of Limerick and the Lord Lieutenant, enclosed in the correspondence forwarded by the Home Office, the mayor had pointed out that it was very desirable that all vessels going from the port of Limerick, while cholera was prevailing there, should have medical men on board. The Irish government did not seem to be aware at that time that the Passengers' Act did not require medical men in certain cases. The correspondence was referred to us; and with reference to that point we desired Captain Ellis to exert whatever influence he might have with the masters and owners of ships, to get them to take medical men; but we pointed out to him that when they complied with those requisitions, which did not require a medical man, we had not the power to compel them to take one, and therefore it was a mere matter of personal influence.

3717. Sir *T. Herbert.*] Do you consider that to be a clean bill of health?—I am really not competent to pronounce an opinion. I should not consider that vessel in a safe state.

3718. You would not think so?—We should not, certainly; we should not allow any vessel, and never have, to be cleared out by any of our officers with cholera on board, knowingly.

3719. *Chairman.*] And you have not heard of such a clearance taking place at Newcastle last September?—There is no emigration from Newcastle, and therefore I do not know what may take place there.

3720. You have not heard of any case of such a certificate?—This is the first I have heard of it.

3721. Captain *Scobell.*] It has been stated that that relaxation is by order of the Privy Council; would you know the fact if it were so?—Not necessarily; it would not be sent to us, because we have no power to interfere with Custom-house officers, excepting when they are acting as emigration officers; and the surveillance exercised by our officer over the health of ships is entirely under the Passengers' Act, and this is of course a matter of trade.

3722. How would the Committee be able to ascertain the fact, whether there be an Order of the Privy Council, or not, to that effect?—No doubt an officer of the Privy Council would be able to state the fact, and give the reasons for it.

3723. *Chairman.*] Has there not been a report from one of your officers in Quebec, lately, Mr. Buchanan; is he an officer of yours?—Yes.

3724. Is there not a report of his to Captain Ellis, at Limerick?—I do not know whether it was to him or to us; but such a report has been received, giving an account of the different ships. There is a general report from Mr. Buchanan, which has been recently presented to the House of Commons, and printed and distributed within the last few days. There has been a correspondence, also, between Mr. Buchanan and Captain Ellis, of which I think Mr. Buchanan sent us copies; but I am not prepared to say off-hand what the tenor of it is.

3725. Would you have any objection to furnish it to the Committee?—None at all.

3726. Mr. *Fagan.*] It has been suggested, as an amendment in the Passengers' Act, that every emigrant vessel shall be required to take a medical man; do you see any objection to that suggestion being adopted?—I do not think it would be possible to get the number of medical men that would be required; for instance, in the course of last year, upwards of 2,400 passenger ships left the United Kingdom; and, if vessels carrying a smaller number of passengers are brought within the operation of the Act, which I think they ought to be, it would increase the difficulty of getting medical men very much. In the course

of

of some years, it may be possible to find the requisite number of medical men for the number of ships; but if you were at once to enact that every passenger ship should carry a medical man, I think the effect would be to compel them to employ unfit people for the duty, in which case they would be worse than none at all, or you would very seriously interfere with emigration.

3727. *Chairman.*] In your former evidence, you stated that your opinion was that the limit should be reduced from 500 down to 300?—Yes, I think it might.

3728. Do you think it desirable to go even lower than that?—I think in these matters you must proceed tentatively; it is almost impossible to say, until it is tried, what the resources of the country are with respect to medical men, but I think to bring it down from 500 to 300 would bring a very large number of vessels under the operation of that provision of the Passengers' Act that are not under it now.

3729. Captain *Scobell.*] What should you think of a provision that would fix the minimum number of the passengers, and of letting that minimum number be the lowest that you would allow emigrant vessels to carry, so that you could have a medical man on board each? Would that do away with small emigration vessels? The last witness has stated that he has known them evade taking a surgeon by taking only 99 instead of 100 emigrants?—Clearly.

3730. Would it not be a lesser evil than that at present existing to have a minimum number fixed, under which no vessel should go to sea that was a passenger vessel; and then for that minimum number, or above it, to insist upon the ship having a surgeon on board?—I think it would be a very hard provision on the shipping interest, and a very hard provision on those wanting to emigrate. There are many large vessels that go out with 60 or 100 passengers; they are extremely well accommodated, and are often sent out for particular purposes; as, for instance, railway labourers, and people of that class, carrying their tools, stores, and implements; they would not be able to use any vessel under those circumstances. Then the small vessels are generally healthy. Those vessels of 300 or 400 tons that run across to America, and carry from 100 to 150 people, are generally very healthy vessels; they are very well ventilated, or at least they ventilate themselves very well. The proposition is quite new to me, and I should not like to pronounce any very decided opinion upon it off-hand; but I do not think further reflection would induce me to recommend such a proposition to be adopted.

3731. Could not the railway labourers, and such classes, be provided for specially; that is, by special permission, they might be exempted from that regulation. I am now speaking of the ordinary species of random emigration that is going on: persons who do not know the risk they are running, who do not know whether there is a doctor on board, and who, after they have got there, must follow the fate of the vessel, and who are now thinking more of their lives and health than the operation of the Act in any way?—Special exemptions in an Act of Parliament of this kind are always objectionable, because they give opportunity for evading the law. Every special exemption is a means of evading the law, and it makes it much more difficult for the emigration officer to know what is a passenger ship, and what is not, within the meaning of the Act. With regard to the smaller vessels, which go principally from the ports of Ireland, I must say, generally, they are very healthy, and I do not think that the emigration has been so unhealthy as to require any very extreme interference with it. In the last six months of 1853, as to which Captain Schomberg gave in a Return, it will be found that the mortality, including the ships in which there were a great number of deaths, was very small. I have not the Return with me, but I recollect enough to say that the Return includes 128 ships, which carried upwards of 60,000 people. In 67 of those ships, which carried nearly 30,000 people, there was not a single death. In 22 of these ships which carried 11,000 more, the deaths were under one per cent.; so that in 89 ships out of 128, which carried 40,000 people out of 60,000, that is, two-thirds of the whole, the deaths were under one per cent.

3732. Do you happen to know the number of deaths in the other third?—There were 13 ships, in which there were a great number of deaths. There were 13 ships of which I gave the mortality on the last day I was before the Committee.

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3733. Inasmuch as all these precautions are to guard against unhealthy ships or those ships which turn out unhealthy, still that would not do away with the necessity for some more precautions than we have now, as to medical men or the healthy state of the vessels?—I do not think any precaution would guard against that misfortune; it was sickness, as far as we know, that was brought on board by the emigrants.

3734. We have it now in evidence that nine vessels have sailed, during the last month, with cholera on board, and without any medical man; do you not think that that wants some remedy to prevent a repetition?—No doubt; it is a dreadful thing when cholera, or any disease of the kind, breaks out in this country, and gets into emigrant ships; but I am afraid it is impossible to prevent it. I think you might, for a temporary emergency of that kind, have a temporary law; and I should propose to deal with it in the way that was suggested the other day. I took the liberty of suggesting to the Committee that the Queen in Council should have the power of legislating in the time of epidemic; and, of course, one of the rules that would be laid down by Order in Council, if that power were given, would be, that no vessel should clear out without a medical man, except under peculiar circumstances.

3735. We have it in evidence from the last witness, that the best part of the population, or the most able part, are those that are usually emigrating, and that emigration is going on rapidly; would you recommend to the Committee to adopt regulations for the health of the passengers, or anything else that may occur to them, without reference as to whether it may increase or decrease emigration, assuming that emigration will go on rapidly enough, whatever reasonable precaution may be taken?—Clearly so; I think it would not be right to stop emigration, if I may use the expression, by a side wind.

3736. By reasonable regulations?—I think there is no reason to abstain from any regulations that are necessary for the health or welfare of the people, on account of any obstacle it would throw in the way of emigration; equally I think that there is no reason to impose regulations with a view to their having the effect of intercepting emigration.

3737. Supposing it were not with any such view, but still that there were regulations that would promote the health, comfort, and strength of the parties at the end of their voyage?—I think that all such regulations should be established without reference to the effect that they will have on emigration.

3738. Have you read Mrs. Chisholm's evidence?—I have seen a part of it; not the whole of it.

3739. She gave a very strong opinion upon the point as to which your opinion is asked, as a practical man; that was, that the first object of all should be to look to the health, reasonable comfort of the passengers on the passage, and, above all, to land them with sufficient stamina at the end of the voyage, by dietary arrangements and good air, to enable them at once to get their living, instead of being enervated and not able to go about it?—I believe Mrs. Chisholm has no experience as to the American emigration.

3740. No; her experience is confined to the Australian entirely?—I never heard that the people arrived out in Australia in an enervated condition, nor do I think it at all likely. Until within the last two years there was no emigration of the labouring classes to Australia, except in the Government ships; now, certainly, from all our accounts, they arrive in a very healthy state, and they are generally hired from the ship, or the depôt into which they are put, within two or three days of their arrival. Cases have happened in which there has been sickness on board, where vessels have been put into quarantine, but they are extremely rare cases, and that has not arisen from any deficiency of food, or any deficiency in the regulations for their comfort, but from the unfortunate circumstance that contagious disease has broken out on the voyage. In the last two years there has sprung up a spontaneous emigration of the labouring classes to Australia, but they are by no means the poorest labouring classes, like those who go to America, as is evident from the mere fact that they pay a large sum for their passage, besides having to provide themselves with a considerable outfit; and the dietary on board all Australian ships is very much higher, whether Government ships or private ships, than the dietary on board ships going to America. I do not believe that such a thing ever

ever occurred as an Australian ship sailing with merely the Act of Parliament dietary on board her.

3741. In any question I have asked, with reference to Mrs. Chisholm's evidence, I did not allude to Government emigrant ships, but to private ships? —I wanted to point out, that the labouring classes did not emigrate to Australia till two years ago, except in Government ships.

3742. Now they do?—Yes, but the class which goes to Australia is a very superior class to those going to America.

3743. Still the dietary table is by Act of Parliament?—All the private ships give them a better dietary scale. The Parliamentary dietary scale is the minimum of what the ships are to have on board; but what they do put on board is much better. None of the emigrants who go to Australia would be content to receive the contract ticket, with merely the Parliamentary dietary in it.

3744. You mean emigrants who are in a better state; the question referred to the ordinary emigrants from Ireland and Scotland?—There are none, as far as I can judge, of that low class that go. They must be a superior class, because the freights from Liverpool to Australia are now from 20 *l.* to 25 *l.* a head, and, therefore, no very poor man could go.

3745. You mean by the Government vessels?—I mean by private vessels; besides that, a man must have clothes; he cannot start for Australia with the outfit with which he goes to America, which is just the clothes he stands up in, or scarcely more.

3746. Sir *T. Herbert.*] Do not most of those vessels, which go to Australia, have medical men on board?—All vessels going to Australia must have a medical man on board.

3747. *Chairman.*] Have not applications been made recently to the Emigration Commissioners to allow breeding cattle to be taken out?—The only application that was made of the kind was to allow some horses to be sent out to New Zealand. We could not do it under the Act of Parliament. The representation was that the vessels to New Zealand, I think it was to Canterbury, took out a small number of passengers; that it was very desirable, for the public good, that the settlement should have good stock; and that there were no other vessels by which these could be sent out. The Act of Parliament prevented our acceding to the application; but I do not think, even if it had not, that it would be a desirable thing to send animals of that class on board emigrant ships.

3748. The space that would be given up to them would be better filled with cattle for the use of the passengers?—It is difficult to keep them clean; and if they are put between decks, they make the vessel very filthy. They take up a great deal of space; there is a great deal of fodder, which is very littery, and, of course, there is the risk run of fire, as it is very combustible.

3749. Allow me to direct your attention to this paper, which is a return to an address of the House of Commons, with regard to the "Borneuf," the "Marco Polo," and other ships. There is an allusion at page 12 to the sickness that had broken out on board, and the cause assigned, and it is therein stated that these were ships bound to Australia?—Taken up by us.

3750. One of the original causes was, the exposure of a large number of the emigrants to a night's drenching rain on the steamer from Glasgow?—Yes.

3751. In consequence of that, have you not now a regulation by which you insist that all passengers being brought in short steamers to ports for embarkation should be put under cover?—We have, and we had at that time; but the difficulty in that case, as far as we could discover, was, that the steamers were then bringing down very large numbers to Liverpool, besides those brought down to our ships, and there was a difficulty in distinguishing between those that came down for us and those that came down on their own account. Those that came down for us were entitled to be put under cover, while those who came on their own account were only entitled to a deck passage; and I believe that it was from that circumstance those passengers were exposed to the rain in coming down to Liverpool; at the same time, we had no report of the fact before the ship sailed. That was one of the causes that was given, in consequence of the investigation which took place in the colony.

3752. Are you not of opinion that it would greatly tend to the health of the passengers on a subsequent voyage, if they were under cover?—Very much;

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no doubt the exposure of the passengers on deck by these steamers is very injurious to their health; at the same time the steam companies would charge them a much higher fare to put them under cover.

3753. But it appears to you that that would be a very desirable and important thing?—No doubt; exposure is a bad thing.

3754. Are you aware with regard to the practice of the German emigrants, in crossing the German Ocean, referred to by Captain Lean?—I know nothing about it; I know they are brought over in large numbers from German ports to Hull, by contract with houses at Liverpool, and there are also German houses in London who contract to take them from the German ports, and to land them in America, for a certain sum.

3755. Are you aware that it is insisted upon that they should be under cover, in making the passage across the German Ocean?—I am not aware what the arrangements are.

3756. Do you recollect the case of the "California" from Sligo?—Yes.

3757. The master and owner there took the vessel to sea after she had struck on a rock, without waiting for the usual inspection of your officer, Captain Willis?—She was at that time in Broadhaven Bay, and was therefore in the jurisdiction, not of our officer at Sligo, but of the collector of customs at Westport.

3758. Are you aware of the circumstances?—The circumstances were these: the collector of customs at Westport had seen her, and had ascertained that she was perfectly sound in hull, and that she wanted only some repairs in her spars, and he gave her a conditional certificate to clear; after that she dragged her anchors, and struck.

3759. Captain Willis, in his report to you, speaks about the want of definite instructions as to the loading of cargo; this is from a copy of Captain Willis' report, page 17 of Paper 178; he complains of the defectiveness of the regulations under the Act, and he states, "As regards the peculiar method of stowing of pig iron, neither the Act, nor any instructions I was supplied with at that time, alludes in any way." In the letter, in page 12, the first enclosure in No. 2, he states that he had no definite instructions. The Act does not give the emigration officer any instructions; it leaves it to his discretion, but that discretion does not save him from the consequences of actions?—No.

3760. And that makes him very tender of using any discretion?—Of course.

3761. He has distinct power to alter the deck load?—Anything that is stowed on the deck must be stowed to his satisfaction, therefore he has a perfectly safe discretion as to that; but the Act only says that he shall not clear the ship with any cargo which, either from its nature or quantity, shall appear to him likely to endanger the lives or health of the passengers, or the safety of the ship. It is of course for him to decide what quantity will, and in so doing he exercises a discretion for which he is liable to be called to account.

3762. It was given in evidence here on the last day, that Captain Schomberg has an action pending against him at this moment?—He has had notice of an action for having refused to clear a ship until she had been partially unloaded.

3763. Captain *Scobell.*] Because he considered her too deep?—Yes.

3764. He suggested, in answer to a question which I asked him, that the proper way to remedy it would be to appoint a competent person as inspector, or emigration officer, and that his judgment should be final upon that point?—His judgment is final now.

3765. They have brought an action against him?—Of course; I do not know how he could be saved from having an action brought against him for what he does in the exercise of his duty, unless it were specially enacted by an Act of Parliament that he should not be called in question for anything he might do in that way; nothing short of that could save him from an action.

3766. Have you ever known an action brought against an officer to succeed?—I have never known an action brought against an officer before; this is the first instance of it.

3767. *Chairman.*] Are you aware that some of the German governments have prohibited the port of Liverpool as a port of emigration?—I have not heard of it before; there is a very large emigration from Germany through Liverpool; the number last year was upwards of 20,000.

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3768. Have complaints reached you with regard to a ship called the "Guiding Star"?—No.

3769. Has any complaint reached your office with regard to the practices on board these ships with reference to German emigrants; that they have been subjected to washing by means of a large syringe; and even women in the family way have been exposed to that?—No, I never heard of such a thing. Some years ago the master of one of the New York passenger ships, called the "New World," who is not now in the trade, told me that he had, in cases of great filth on board his ship, worked the pump on some of the emigrants, and he said, at the same time, that the effect of it had been, that he had made the voyage across the Atlantic a great many times, I forget how many, with a ship carrying between 700 and 800 people, and that he had never had a single death.

3770. But you are not prepared to recommend it?—I do not the least in the world; but there is so much filth amongst the emigrants that probably something of that kind is not always without its advantage.

3771. The cases I am mentioning to you are not known?—No.

3772. Mr. *Fagan.*] Do your officers report to you the vessels that take medical men and the vessels that do not take medical men?—No, they do not report to us unless we call for a report.

3773. Could you give any information as to the number of vessels going to North America during the last two years that have taken medical men, and those that have not taken medical men?—I could not give the Committee that information, but I think I stated before, that about 400 ships sailed from Liverpool to New York in the course of last year, and that 116 had carried medical men.

3774. Captain *Scobell.*] In Mrs. Chisholm's evidence, Question 2994, she is asked, "In the case of unassisted emigration to Australia, is there not generally a contract scale of diet differing from the Parliamentary scale?" Her answer is, "That is frequently very deficient, but I think it would be a very great protection that there should be one scale established and carried out for all emigrant ships to Australia." Do you, or not, agree in that opinion?—The scale that you put into an Act of Parliament will always be a minimum scale; I do not think it would be a desirable thing to prescribe by Act of Parliament one scale, and one scale only, and say that the ship shall not carry any other than that, because ships may give a better scale than you may put into the Act of Parliament. Again, in Irish and Scotch ships you take a great deal more oatmeal than in the English ships; Irish and Scotch emigrants eat a great deal more oatmeal than English emigrants. If you were to prescribe one scale, and one scale only, by Act of Parliament, it would be imperative on everybody; and you must either put in such a quantity of oatmeal as would allow the Irish and Scotch to eat it, omitting other things, or you must prescribe a scale that would be very distasteful to English emigrants.

3775. It is quite clear that the Act of Parliament does not prevent any emigrant ship giving a better dietary; the question is, whether the dietary that is legal is sufficient or not, or whether it is not manifestly insufficient; there is no meat, in the first place?—What she says here, if I understand it, is, that one dietary scale should be prescribed for all ships, because there is nothing now in the Act of Parliament to prevent a better dietary than the Parliamentary dietary.

3776. It is not obligatory to give a better dietary?—No; but in Australian ships no emigrants would go if they did not get a better dietary.

3777. *Chairman.*] Are you aware that Mrs. Chisholm recommends that the practice of counting two children under the age of 14 as one adult should be discontinued, and that the practice of not considering space in the case of infants of one year should also be discontinued, and that at any rate, in the case of children under the age of 14 years, they should be considered full adults, inasmuch as room to growing children, when cooped up in an emigrant vessel, is at least as necessary as to an adult?—Of course increase of space is a benefit, there can be no doubt of it; but if you prescribe that by Act of Parliament, you would raise very considerably the expense of emigration.

3778. Would you not diminish the mortality that has taken place in young life?—There are very few children go out in the spontaneous emigration; the children are carried out principally in the Government emigration, and where the number of children on board is limited to three under 10 years of age, or

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two under seven years of age, the mortality is really not great. If you were to increase the space that they required, of course a ship would carry fewer, and the passage-money would be much higher, so that the Australian fund would suffice to take out a much smaller number of people.

3779. In the cases of the "Wanata" and "Borneuf," you stated that you allowed a larger proportion of children to go out, and you have now discontinued that practice?—We did; we relaxed the rule as to children, and allowed four children under 12 years to go, without asking any further question about their age.

3780. Mrs. Chisholm says also, from her experience, that a good deal of loss of life, particularly among young children, would be prevented, if there were in the dietary what are called medical comforts, or which are only to be found on board as medical comforts; for instance, preserved milk, and articles of that kind; do you see any objection to that change?—We have adopted the change.

3781. In your own ships?—In our own ships. That is part of the dietary which I put in on the 20th of March.

3782. Directing your attention to the papers relative to emigration just presented, you will see there an Act passed by the Canadian Legislature?—Yes, in the Session of 1853.

3783. The third section says this: "And whereas masters of vessels are in the practice of embarking passengers after the vessel has been cleared and examined by the proper officer at the port of departure, and without delivering lists of such additional passengers to some officer to whom by law the same ought to be delivered; for the prevention and punishment of such practice;" it then goes on to provide that no master of a vessel shall allow any passengers to land until the ship has been examined?—Yes.

3784. Does not that speak to two facts, one of which is, that at the ports of this country there is not sufficient care in the clearance? Is it not clear that this seems to be the practice? It is so stated in the Act; and, therefore, that it would be necessary to have more stringent regulations with regard to clearance; and, in the next place, a provision in order to prevent passengers being landed at Quebec without being examined. Does not the making of this provision show that there must have been an inattention or want of regulation on the other side, to ensure such inspection of the passenger list previously to the passing of this Act?—In the first place, that Act applies not to the ships arriving from the United Kingdom only, but to ships arriving from foreign ports.

3785. I have read the preamble of the third section; then it says: "Be it enacted, that for every passenger not included in the list of passengers by any vessel sailing from a port in Her Majesty's dominions delivered to the collector of customs at the port of departure, or at the port where such additional passenger may have been embarked, or at the port at which such vessel may have touched after the embarkation of such passenger, the master or person in command of such vessel shall, in addition to the rate or duty payable as aforesaid, and at the same time and under the same penalties, pay to the collector of customs at the port of Quebec or Montreal, at which soever the said vessel shall be first entered, the sum of forty shillings currency for each passenger so embarked as aforesaid and not included in one of the said lists." That, therefore, evidently contemplates those vessels?—It no doubt has happened that passengers have got on board vessels after they have been cleared by the emigration officer. I do not know how it is possible to prevent it, except by strict provisions on the other side. Take the port of Limerick, for example. Limerick is about sixty miles from the sea; vessels almost always, I believe, anchor at Tarbert before they leave the Shannon; we have got an officer there to muster the passengers in consequence of our finding that there were continually people going on board in the river, and that ships that cleared out with a small number from Limerick, afterwards took on board a large number in the river; but I believe it is very difficult indeed, if there is an intention to commit a fraud, to prevent their doing it in such a case as that. In the case of Liverpool it is still more difficult, because the vessels lie in the river; it is a very rapid river; nobody could go off except in a steam-boat. In order to prevent vessels taking emigrants on board when they are lying in the river, you must have a steam-boat continually cruising there; you must have an emigration officer

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on board till the vessel actually sails, and even until the vessel gets clear of the land, because instances have happened in which boats have come off from the coast of Wales, after the vessel was out of the Mersey, and put emigrants on board. I do not see how you could possibly prevent that, except by severe punishments on the other side of the water. In the case of vessels going to America I believe it is seldom done, because that is one of the provisions of the American Act, and I believe the only one, that is strictly carried out there; they are very strict in seeing that vessels do not bring more than their legal number, and when there have been more there have been instances of vessels being seized, under the American law. In Canada it can be prevented by that Act, and I hope it will be prevented; but I am afraid there is no possibility of preventing people being put on board this side of the water, unless you could have a steam-boat cruising outside the Mersey, to muster the people before the ship gets away.

3786. Of course it is impossible to provide for extreme cases; but would it not be an approach to some greater security, if, instead of allowing vessels to be cleared in dock, where there is exceeding facility for passengers to jump on board while the vessel is passing through the gates, it was directed that they should be cleared in all cases while lying out in the river?—It would be very difficult to clear all ships in the river at Liverpool; it is a very bad river to lie in; there are as many as eight or ten passenger ships going out in the course of a day. The emigration officers could go on board only by means of a steamer, which would be a considerable expense; and I should think that the town of Liverpool would very strongly object to having the river blocked up with emigrant ships lying there, because there would always be danger to other ships of collision, and to the passenger ships of dragging their anchors.

3787. Mr. *Hankey.*] Do you think it would be right to apply any law to Liverpool that you would not apply equally to other ports of the United Kingdom?—If there are peculiar circumstances in Liverpool you may apply a peculiarly stringent law to them; but to enact that all vessels should lie in the river and clear there would be a dangerous thing.

3788. *Chairman.*] Do many of the vessels make sail from the docks?—Most of them, as soon as they haul out of the docks, make sail, and get away.

3789. Mr. *Fagan.*] Has the Act which has been referred to come into operation in Canada?—Yes, it did immediately it was enacted.

3790. How long has it been enacted?—It was passed in the early part of 1853.

3791. Do you find in the reports of 1853, which you have, that that Act has had the effect of preventing the grievance complained of?—We have not had any reports to that effect; we have only reports of a few cases of emigrants being on board who were not on the list.

3792. Do you think that it is likely to be as effectual as the United States law on that subject?—I think it would be; I see no reason why it should not be.

3793. The United States law effectually prevents the matter we are now complaining of?—Generally, the United States law prevents more being taken than the United States scale allows. Sometimes stowaways will turn up after a vessel has been at sea two or three days, and sometimes in very considerable numbers.

3794. Captain *Scobell.*] There is no question that the Government emigration ships are exceedingly well arranged, and everything properly provided, but you are quite aware that the other emigrant vessels, not Government vessels, are differently and less amply provided?—Yes.

3795. With regard to the regulations for private emigrant vessels, would you recommend that the Act of Parliament should enforce your system, as in the Government vessels?—I think that there would be no objection to making a better dietary scale for Australian ships, and prescribing it by Act of Parliament; that is, a minimum scale; but whatever is prescribed by Act of Parliament must be the minimum; therefore, particularly now that the passage is very dear to Australia, it is desirable not to make the dietary scale higher than can be shown to be necessary to health.

3796. Mrs. Chisholm had a Parliamentary dietary, and she was asked if she thought it sufficient; her answer was, "For 20 *l.* a head I would not put men on board with this dietary scale." In another part she infers that persons get

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weak under that scale, and were not fit for work at the end of the voyage; do you think that scale ought to be left as the minimum?—I think the scale is put as low as it can be. It is not a scale that we should ever have adopted ourselves; but at the time that scale was enacted, the object was to do nothing that would unnecessarily raise the expense of the passage, and, thereby, throw an obstacle in the way of emigration. I think that motive has ceased to operate to a very great extent, because the emigration is now quite as large as is desirable for national purposes, and the people who are going out have plenty of money to pay a higher price for their freight. I think, therefore, that it it would be desirable to raise the dietary scale.

3797. Mr. *Fagan.*] Does that answer refer to the Canadian emigration, as well as to the Australian?—I was going to say that Mrs. Chisholm's observation refers entirely to the Australian emigration, in which, as I said before, that dietary scale is never used. The dietary scale has been applied exclusively to the North American emigration.

3798. Captain *Scobell.*] Do you think it should be somewhat improved even for that?—Yes; I ought to state that at the time this Passengers' Act was passed in 1852, there was no spontaneous emigration to Australia going on. It began about the time this Act passed through the House of Commons. The spontaneous emigration to Australia of the labouring classes commenced only in the summer of 1852.

3799. There were two or three other suggestions which Mrs. Chisholm threw out; one was, that the bond should be higher; she very strongly insisted that the bond should include the owner of the vessel, as well as the supercargo and the master?—The bond is now from the master, and either the owner or charterer, or a good and sufficient person. You could not always get at the owners, inasmuch as the owners of American ships, which carry the American emigration, are generally in the United States.

3800. We will limit it to English ships, where we could enforce the law?—In the English ships, the bond is either from the master and owner, or the master and charterer; but if you get a bond, and from a responsible person, it seems to me that it does not signify whether it is from the owner or any one else.

3801. She was cross-examined upon that, and asked if her opinion was doubtful, and she says, "I am quite certain that if there was a responsibility of that kind," meaning that the owner should join in the bond, "you would soon have a better class of men as surgeons and masters." Her inference was, that if the owner signed the bond as well, they would have a better class of masters and surgeons; they would interfere more in the personal arrangements of the masters and surgeons?—The owner very often has nothing to do with putting the emigrants on board at all. He lets his ship to a charterer; I am speaking of the American emigration principally.

3802. Do you mean English vessels going to America?—English vessels going to America are a very small number, except to Canada.

3803. You may include Canada, as the question refers to English vessels?—The great bulk of emigration from this country is carried on in American vessels. The practice I believe to be, that the agents of the owners in this country let the ship, or the between decks of the ship, to a charterer for a certain lump sum. They find the ship and crew, and nothing else; the charterer then finds everything else, and finds the emigrants to put on board. He therefore is, to a very great extent, the responsible person for all the arrangements of the ship, for all the fittings of the ship, and for the provisioning of the ship.

3804. Mr. *Fagan.*] Is that charterer generally in this country?—Yes.

3805. And a responsible person?—Yes.

3806. Does he join in the bond?—Either he or some sufficient person.

3807. *Chairman.*] You say "either he or some sufficient person"; do you mean either he or some sufficient person on his behalf, or on behalf of the owner of the vessel, because the charterer is not responsible for the soundness of the vessel, or do you take a separate bond from the owner of the vessel?—We take a single bond from the master and owner or charterer.

3808. Does one bond include them both?—They do not both join in it; it is the master and one other who must be owner or charterer.

3809. Then in that case the master or owner, or the master and charterer may be joined?—Yes; or if there is neither owner nor charterer present, then a sufficient person on his behalf. But the object of the provision is to meet

the

the case of owners or charterers being away; the owner constantly is; the charterer is generally here.

3810. Mr. *Fagan.*] But you must have evidence from New York in order to recover on that bond in the event of the condition not being complied with?—The bond can only be put in suit in the Court of Exchequer, therefore you must have such evidence as will satisfy the Court of Exchequer before it will estreat the bond.

3811. Captain *Scobell.*] It has been also recommended that the Act should be extended to every passenger ship, even if there was only one passenger, and that anything less than that leads to an evasion of the law?—I think that would be going too far.

3812. What is the smallest number that you would reduce it to?—I think that if it was reduced one-half of what it is now it would be enough, that is, that vessels carrying two passengers to the hundred tons instead of four, which would bring in an enormous number of ships, should be considered passenger ships, and come under the Act.

3813. Mr. *Hankey.*] In that way a vessel of 500 tons, having 10 passengers, would be a passenger ship?—That is, steerage passengers.

3814. *Chairman.*] Passengers within the meaning of the Act?—Yes.

3815. Captain *Scobell.*] Mrs. Chisholm also strongly urged that the vessels should have in some conspicuous part, outside, for instance, their class marked in a very distinct way, so that while they were lying in the dock or river, the emigrants could see the class of the vessels?—The greater part of the vessels that carry emigrants are not classed.

3816. The question is, how far we could go in that direction; whether it would be desirable for vessels, over which the law has control, to have the class to which they belong, and the number of emigrants they were licensed to carry, distinctly marked on them in large painted letters?—I attribute much less weight than Mrs. Chisholm does to the classing of vessels at Lloyd's. By Lloyd's regulations, as I understand them, a vessel is inspected when she is building, to ascertain her scantling and materials, and according to that she is classed. Once classed, unless she meets with an accident, Lloyd's have no right either to require a survey of her, or to remove her from her letter. Now it does happen, and it happened to us in the course of last year in four cases, that we had taken up ships that were A. 1 at Lloyd's, and when we came to survey them, we found that they were not in a fit state to carry emigrants, and we rejected them. I believe that a survey by the emigration surveyors at the port is a much better protection than the classing at Lloyd's, and no vessel can carry emigrants without being surveyed.

3817. Mr. *M. Milnes.*] Can you explain to the Committee the class of men who are called emigrant-shippers or middle-men?—No; I have no very correct information upon that subject; they are agents employed by the people who charter vessels at Liverpool, and are sent all over the United Kingdom to collect emigrants, but principally to Ireland, but what the exact class of men employed is I do not know.

3818. May not a great many of the complaints of emigrants be attributed to the misconduct of that class of men?—Not the complaints that come before us, or that come under the Passengers' Act; the misconduct of those men is generally in matters relating to lodging-houses, and the cheating of the emigrants before they go on board ship; the emigrants do not come within our view until they are almost on the point of embarking.

3819. Is it not true that these emigrant shippers very often receive 3*l.* a head from the emigrants to convey them to America, and only pay a smaller sum, such as 2*l.* 10*s.*, to the captain, pocketing the difference?—I think it is quite possible, but it is not a thing we should get any cognisance of, nor is it a matter that comes within the purview of the Passengers' Act at all.

3820. Could not that evil be remedied by any named vessel being permitted, after due inspection, to advertise for emigrants, and to issue tickets at a stated rate, such tickets to be procured at the office of the emigration agent?—I do not see how you could interfere in that matter; the price of the passage is a thing that varies from day to day, according to the demand and supply; it constantly happens that a vessel will take a number of passengers at one price, and finding

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finding that she cannot fill up at that price, then lower her price, and take passengers at a lower rate.

3821. Where would be the difficulty of there being a fixed price which an emigrant could know, and which would be fixed according to the market price at the moment?—The market price of passages varies like the price of every other commodity; it depends entirely on the demand and supply of the moment, and the price varies from day to day, I believe I might say, from hour to hour.

3822. Could not the emigration officer judge of a reasonable price?—You do not mean that the emigration officer should interfere, and fix the price of the passages?

3823. I mean that the emigration officer should let the emigrant know what the price of the passage is, according to the current price at the time; by that means might not the emigrant be rescued from being at the mercy of a person who fixes any arbitrary price, which the emigrant is unable to determine whether it is just or not?—Emigrants for these ships are collected from all parts of the United Kingdom, but principally from Ireland; the agents are sent to collect them several weeks before the vessel sails, and they then enter into a contract to pay a certain price for their passage, and be at Liverpool, or at the port of embarkation, on a certain day; I do not see how it is possible for the emigration officer, or any one else, to say, a fortnight, or three weeks, or six weeks before the vessel sails, what the market price of passages at that moment will be.

3824. Mr. *Fagan.*] Is there not considerable competition?—Great competition, and the price varies very much.

3825. Does not competition regulate the price?—Of course.

3826. Sir *T. Herbert.*] Then the man who engages with these people when he contracts to send them out, say to America, for 3 *l.* 10 *s.*, supposing the market were to rise to 4 *l.* 10 *s.*, would have to pay the difference?—He would have to send them out.

3827. Then the man runs a risk, the same as a merchant on the Exchange buying stock?—The rule is, that they contract to be sent out by a certain ship, on a certain day, at a certain price. The contract ticket is given when the passage is engaged, and they must be sent out for the price named in the contract ticket. It used continually to happen, that when the prices rose between the time of their contract being made and the day the ship was appointed to sail, the emigrants were put off from the ship in which they had contracted to sail, and were kept waiting until prices fell again. In order to prevent that, the Act now requires that subsistence money at the rate of 1 *s.* a day shall be paid to every emigrant who has paid his money, and is ready to sail, and for whom a passage is not found, from the day on which he contracted to sail until he is sent off, and if he is not provided with a passage within a reasonable time, then his passage-money is to be returned to him, with compensation, as the magistrates may decide, not to exceed in all 10 *l.*

3828. Mr. *Hankey.*] Has the emigration officer appointed by the Act anything to do with the price that may be paid for the emigrant's passage?—Nothing whatever.

3829. Be it more or less, he has nothing whatever to with it?—Nothing.

3830. Do you think it would be desirable to allow him in any way to interfere with the price which either a shipowner, or his agent, or the charterer, may ask for the passage-money?—I do not.

3831. Captain *Scobell.*] Do you think the subsistence-money of 1 *s.* a day is sufficient?—I believe it is sufficient for the class of people to whom it is paid, who are the poorest class of the Irish emigrants. I believe they can live on it.

3832. It would equally apply to English emigrants?—Yes; and undoubtedly it would not be enough for the better class of Australian emigrants.

3833. And provisions and sustenance are getting dearer?—Yes.

3834. Mr. *Fagan.*] It appears that in the depôts it costs 1 *s.* 8 *d.* a day?—In his private depôt Mr. Philipps stated that it costs 1 *s.* 8 *d.* a day.

3835. And in your depôt, at Birkenhead, it costs 2 *s.*?—Yes; we have a very different dietary to what the class for whom it was peculiarly intended have at their homes.

3836. Has the emigration officer the power of seeing that the contract entered into between the charterer and the emigrant is carried out; for instance, if the emigrant contracts to go in a certain vessel, and is obliged to go

go in another and inferior class of vessel, has the emigration officer the power of interfering to see that the contract is honestly carried out?—Under the 44th section of the Act it is provided, that if a passage is not found in the vessel in which the passenger shall have contracted to proceed, or in an equally eligible vessel, that then he shall be entitled to recover his passage-money, with compensation.

3837. Sir *T. Herbert.*] That is a very poor compensation to the man who has the disappointment of having his family brought over?—He recovers his whole passage-money, and he may have compensation to the extent of 10 *l.*

3838. Mr. *Fagan.*] Before magistrates?—Yes.

3839. It does not require delay in the proceedings?—No; it is by summary process.

3840. *Chairman.*] The subsistence money is not 1*s.* per head of the family?—A shilling per statute adult of the family; it would be half for children less than 14 years of age.

3841. With regard to the Australian shipping at Liverpool, would it not be advisable, after a certain period, that the amount of money should be increased?—They are sometimes detained, it has been given in evidence, 10 days, and sometimes even longer. Would you say 1*s.* a day is sufficient for them, while they are detained for 10 days, a fortnight, or three weeks?—I am not exactly prepared to say whether it would be right to increase it in the case of Australian ships. We never have had any representation on the subject.

3842. Mr. *M. Milnes.*] When you say that you see no means of preventing these emigrant shippers, or middle-men, from making these contracts, do you not allow that these intermediate arrangements create very great additional difficulty to the emigrant who is not fairly treated getting his remedy for breach of engagement?—I do not see that they do; he has his remedy against the master, owner, or charterer of the vessel in which he has contracted for a passage; at the end of his voyage he can have his remedy against the master of the vessel.

3843. He has not paid money to the master of the vessel, but to this emigration agent?—That does not matter; the Act gives him a remedy against the master by summary process.

3844. In that case who would he recover his money from?—From the master.

3845. Would he recover his money in the same way from the master as if he had made the engagement with the person who had freighted the vessel?—At the end of the voyage, if the contract has not been performed in the matter of food (of course it is only in that respect that the contract could not have been performed, inasmuch as he would have been carried to the place to which he contracted to go), he would then recover from the master compensation, and the master would be liable to the penalties; the fault there would have been the master's, for not issuing the provisions.

3846. Do you understand, then, that his engagement with the skipper lies with the master from the moment that he has embarked?—Clearly; from the moment that he has embarked on board the ship it is the master who has to carry out the agreement; there is nobody else that could.

3847. Captain *Scobell.*] But still, might not the owner of the vessel be made responsible for the act of his servant, if he may be so called?—The owner of a vessel is held responsible, so far as you can get at him, under the bond; you can get either the owner or the charterer.

3848. Mr. *M. Milnes.*] You are, no doubt, aware of a case that has excited a great deal of interest in the United States, in which, to use the words of Judge Kane's opinion, "an agreement was made with them by a person who announced himself publicly as a ship-agent, and who was proved to have been in communication with the master of the ship; this agreement was made with apparent authority from the master or his owners, since under it the passengers were received on board, and transported to Philadelphia; and the certificate or ticket which expressed its terms having passed into the master's possession before the vessel left her harbour of Cork, and retained by him ever since, without his controverting or disaffirming it in any respect or degree." Thus this engagement was entered into, by which the passengers were promised to be landed in America to be forwarded to New York free of expense?—Yes.

3849. This engagement was not adhered to; when they were landed the

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master of the vessel said he was not bound at all by this agreement; the matter was brought by Mr. Consul Mathew before the District Court of the United States, and it was decided there by the judge that they were liable. Does not this case imply that a doubt might arise as to whether the master of the ship did consider himself bound by the engagement entered into by one of those shipping-agents?—Whether he considers himself bound or not, he is bound by law. The law requires him to carry out the whole of the contracts which are entered into with the emigrants. If he had gone to a British port, and come within British jurisdiction, he would have been compelled to do so by the Passengers' Act. He went to a foreign port, within foreign jurisdiction, where the Passengers' Act did not apply, and the foreign tribunals considered he was, and compelled him to send those people on to New York, and return the passage-money.

3850. You think, therefore, there is nothing in the present system which requires any such great interference as would be implied by requiring that no person should issue tickets who had not a registered interest in the vessel?—No; I think there is nothing that would justify such an interference as that.

3851. *Chairman.*] You were asked whether there were any other regulations affecting emigration, besides this extraordinary certificate of the bill of health, and also, whether there were any other regulations affecting emigration save those made by the Commissioners; you, not conceiving the full bearing of the question, answered there were none other. In section 55 of the Act, it is stated that "it shall be lawful for Her Majesty and her successors, by any Order in Council, to be by her or them made, with the advice of the Privy Council, to prescribe such rules and regulations as to Her Majesty, or her successors, may seem fit, for preserving order, for promoting health, and for securing cleanliness and ventilation on board of 'passenger-ships' proceeding from the United Kingdom to any port or place in Her Majesty's possessions abroad, and the said rules and regulations from time to time in like manner to alter, amend, and revoke, as occasion may require"?—Yes.

3852. Is it not clear that they have the power there to interfere with regulations concerning health?—The Queen in Council has the power of making regulations for preserving order, promoting health, and securing cleanliness and ventilation; an Order in Council has been passed for that purpose; those words would not cover any regulations for the stowage of cargo, nor do I conceive they would cover an order requiring a medical man to be carried in every vessel. It is evident that what the Queen in Council can do by those orders is, to supply anything not done by the Act; the Queen in Council could not issue any order which would be inconsistent with this Act, or override it; for instance, as the Act prescribes the number of persons who may be carried in a ship, the Queen, by Order in Council, evidently could not limit that still further. As the Act prescribes what ships shall carry a medical man, the Queen could not, by Order in Council, require anything beyond what the Act requires.

3853. If the Orders in Council did touch the question of stowage of cargo, there really would be nothing contrary to the rules and regulations of the Act in the Orders of Council affecting that, inasmuch as you have yourself said, that the Act is silent upon the stowage of cargo below; and under the power for securing cleanliness and ventilation, mentioned in this 55th section, the party suggesting the alteration, under Order in Council, might suggest that the stowage of cargo might be lowered, to promote ventilation below?—I do not think any regulation relating to the stowage of cargo, meaning by that the stowage of dead weight, which is the principal question discussed, could be brought within the meaning of the words, "promoting health, preserving order, and securing cleanliness and ventilation."

3854. Captain *Scobell.*] Do you think those words, promotion of health, and other advantages to the passengers, would seem to give power to the Privy Council to give a bill of health, such as we have had with regard to sending vessels to sea with cholera on board?—I do not think that that bill of health had any reference to passenger ships especially, or any reference to this Act.

3855. But that clause of the Act would not give the Privy Council power, for all the things defined there are for the benefit of the passengers?—Clearly not.

3856. It says, "to give better ventilation, and to promote their health;" and, therefore,

therefore, it would not give power to do anything that was prejudicial?—Certainly not.

3857. *Chairman.*] In reference to the cargo interfering with ventilation, Captain Schomberg stated, that in the "Fingal" there was a portion of the cargo stowed upon what may be called the main-deck of the vessel?—That is above the beams.

3858. Therefore ventilation might be interfered with in that case?—It could hardly be, because the only way, as far as I am aware, that cargo is ever stowed above the beams is under the berths of the passengers; the object is, where a vessel has a good deal of heavy cargo on board, to give her stability by raising the cargo; in some cases it has been done with very considerable advantage to the vessel.

3859. Cargo would be stowed within two feet of the upper deck, which is allowed by law; that is the answer of Captain Schomberg to Question 3287: "Is there any statement in your officers' report in contradiction of what Mr. Finch says, the question being put to him more than once, that there was no separation between sexes?—Yes, most distinctly the officer states it; I will tell you why; we never pass a ship at Liverpool, if my orders are observed, without a solid bulkhead is placed to partition the cargo from the people; so that it was not a common bulkhead, it was a solid one." Then the next question is, "But with regard to the separation of the sexes?—That exactly did separate them; they had nothing but single men before the cargo, and the married people and single women were abaft the cargo." 3289 is the next question, "Then how is the cargo stowed?" To which his answer is, "The cargo would be stowed within two feet of the upper deck, which is allowed by law"?—The meaning of that is, that the "Fingal" was a vessel divided into compartments, and they stow part of their cargo on the main-deck; that is entirely excepted out of the passengers' space; any vessel may do that; they may give whatever portion of the deck they like, and any of the deck that is not occupied by passengers they may put cargo on.

3860. Do you think that desirable that they should be allowed to put cargo in that manner?—If the ventilation is good in the part in which the emigrants are placed, there is no objection to having cargo on other parts of the deck.

3861. With regard to the question of cargo, if you look at the papers just presented, you will see in the report of Mr. Buchanan, that he states that in the emigrant ships of last season, invariably, there were complaints from the passengers of vessels that were laden with iron; is not that very strong corroborative evidence of the necessity of more precautions with respect to allowing iron to be stowed in passenger vessels?—It is a very objectionable cargo, no doubt at all about it; but at the same time, it is the great article of export from this country to America. I do not think it would be possible to say that no iron should be put into emigrant ships; and it is very difficult indeed to fix any limit that should be applicable to all ships. What a ship can carry safely depends on her build, scantlings, and materials.

3862. Mr. *Hankey.*] Do you not think that any regulations which should make it a stipulation that a vessel should not carry iron as a general cargo, would tend to raise materially the price of emigration?—Yes; it would throw a great number of ships out of the emigration trade.

3863. *Chairman.*] Would it not diminish the risk to life?—It would diminish the risk to ships; when ships get into bad weather with a heavy cargo of iron on board, no doubt they strain very much.

3864. Captain *Scobell.*] Might you not limit the quantity of iron in some way, although you did not exclude it; might you not limit it to two-thirds or three-fourths?—We have given our officers a general instruction to limit it to two-thirds of the registered tonnage of the ship.

3865. *Chairman.*] Since when?—It has been limited for some years at Glasgow and Liverpool to that effect; and in the month of November last we issued a general instruction to the officers. But the great export of iron is from Liverpool and Glasgow. At the same time, two-thirds of the registered tonnage of iron might be for some ships a great deal too much; and there may be many that would carry more than their registered tonnage with perfect safety. It is impossible to lay down any general rules on the subject.

3866. Is there not a clear necessity for further regulations when you find the emigrant officer, Mr. Buchanan, on the other side of the Atlantic, stating,

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that invariably last season, in the large number of vessels that came under his notice, there were complaints of the effect of iron cargoes on vessels?—The number of vessels that went to Canada was limited; it was a small number.

3867. Still, in all of them, whatever the number might have been, how does it meet the demand that it is highly necessary and important to impose some regulation upon this point?—The regulations as to the two-thirds of the tonnage had not been generally issued until after those vessels had sailed to which Mr. Buchanan refers; but it is extremely difficult for any Government Board to interfere with matters connected with the regulation of the commerce of the country.

3868. That is so if commerce be the only matter to be considered; but if there is danger and risk to life, would it not be advisable the Legislature should arm you with further powers?—I do not think it is possible to say that there is such danger to life as requires an interference.

3869. Not in the case of the "Annie Jane," and the other ships?—I do not think it is at all clear that the "Annie Jane" was lost because she had iron on board; and certainly the quantity she had on board is not more than vessels of her class are in the habit of carrying with perfect safety.

3870. Some of these vessels when laden with iron have also a portion of stone ballast on board?—I am not aware of that; I think where they have iron, they would not, for their own sake, take stone.

3871. In calculating the dead weight, and there being any portion of heavy ballast besides the actual cargo, is that taken into account, or is the term dead-weight applied to the cargo?—Dead-weight is a term generally understood; it applies to all heavy substances.

3872. I am asking as to emigrant ships, whether there is any particular calculation on that point, on account of the extreme inconsistency of two statements with reference to the ship "Fingal;" I wish to see whether there is any means of reconciling those two discrepancies?—The rule is, two-thirds of dead-weight, without specifying what dead-weight is. There is no doubt iron is a very nasty cargo in all circumstances. The limitation, although it is a general recommendation that the officers should not clear a ship with more than that, is not a limitation that would overrule the emigration officer, if he thought that a ship was capable of safely carrying more.

3873. Mr. *Hankey.*] If you were understood rightly you stated that you considered that there has not been sufficient evidence of loss of life on board emigrant ships to justify any stronger legislative measures than those which now exist with regard to cargoes?—No; I do not think it would be desirable to prescribe by Act of Parliament any limitation as to the cargo of a ship.

3874. *Chairman.*] You now state that it is not desirable, in your opinion, to have further regulations to direct the officer with reference to the cargo?—I think it is not advisable to prescribe any rule by Act of Parliament; it is extremely difficult to lay down any general rule, because the rule that is applicable to one ship is not applicable to another.

3875. Still as there must be some regulations, to whom do you propose to leave it?—I think it is better to leave it to the Queen in Council, because an Act of Parliament is a rigid instrument, and an Order in Council is much more easily altered if it is found to be wrong.

3876. Under the 55th section of the present Act is there not that power given to the Queen in Council?—I conceive not.

3877. The powers therein given do not extend to that?—No.

3878. Is it not absolutely necessary either by Act of Parliament or by the extension of the powers of the Queen in Council that there should be some additional means of regulating the quality of cargo?—I think it is desirable, in order to protect the emigration officer against the pressure which he is now exposed to, and the risk of having actions brought against him for the manner in which he may exercise his discretion.

3879. With regard to the action brought against him there are three points, the quantity, stowage of the cargo, and the ship's draught of water?—All the three points run into one; I understand that what is alleged is, first, that from a verbal discrepancy between two clauses of the Act, which is a mere misprint, he has not in reality the power to control the quantity of the cargo; secondly, if he has, that he had done it in an improper manner, inasmuch as the ship's draught of water was not greater than she would have been allowed by Lloyd's regulations;

regulations; thirdly, that although the Act allows the emigration officer to object to the quantity of any one article, it does not allow him to object to the aggregate quantity of all the articles on board; so that if that interpretation held, a vessel might carry any amount of dead weight of different articles, provided the dead weight of each article was not greater than sufficient for the ship.

3880. Mr. *M. Milnes.*] Is there any obligation on the master of an emigrant vessel to make any certificate, before a recognised officer, of the number of deaths, and the circumstances connected with them, that have occurred during the voyage?—He is bound to do so in our colonies by colonial Acts, but in the United States no law requires him to do so.

3881. Would it not be advisable that he should be required to make such deposition to the nearest consul or English representative of the port at which he lands with the emigrants?—It would be very desirable to have it, but it could only be enforced by the law of the United States. Although we might require him to make such a return by Act of Parliament, we should have no power of verifying that return by our own authority.

3882. It is only by arrangement with foreign Governments that that could be done effectually?—Only by arrangement.

3883. Mr. *Fagan.*] This is a memorial that will appear on the Minutes, to the Mayor of Limerick from the passengers of a ship called the "Primrose." They state that they left the ship in consequence of the cholera, after the vessel had cleared out; you stated to-day that the emigration officer reported to you that he had taken out all the cholera patients, and there was no cholera, or disease of that nature, on board at the time that he cleared the vessels?——Either he or the officer at Tarbert; I have seen this memorial, it has been transmitted to me, but it is a case in which I am afraid it is impossible to do anything. The people left the ship of their own accord, and gave up their passages. That being the case, the law would not compel the master or owner to return the passage-money.

3884. Is their statement correct, that the cholera was absolutely in the vessel after clearance from the officer?—The emigration officer at Limerick took out all those attacked with cholera, or who appeared likely to be attacked with cholera, at Limerick. On their passage down to Kilrush another person was taken with the disease, and removed to hospital. When she got to Tarbert, the emigration officer found other persons attacked with cholera, and had those removed. Those passengers were not taken ill at Limerick, therefore it was impossible to foresee what might happen.

3885. You are positive that you have the report of the emigration officer from Tarbert that he had taken out all the cholera patients, and no disease appeared at the time the vessel left?—The emigration officer of Limerick certainly reported that all the cholera patients had been removed. The officer at Tarbert is merely a subordinate officer of his, an assistant emigration officer; I do not recollect exactly the words, but my conviction is, that they said that all who had been attacked with cholera had been removed, and that the ship had been sent to sea in a perfectly healthy state.

*Veneris*, 12° *die Maii*, 1854.

MEMBERS PRESENT.

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|---|---|
| Mr. John O'Connell. | Mr. Hankey. |
| Sir J. Anderson. | Sir T. Herbert. |
| Captain Scobell. | Mr. Fagan. |
| Mr. M. Milnes. | Mr. G. A. Hamilton. |
| Mr. Peel. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

*John Ryan*, called in; and Examined.

*John Ryan.*

12 May 1854.

3886. *Chairman.*] YOU went to Liverpool to emigrate?—I did.

3887. At what time?—In the month of November last.

3888. Are you a single man?—There were none with me.

3889. Did you come across from Dublin to Liverpool?—Yes.

3890. Upon the deck of the steamer?—Yes.

3891. By day or night?—By night.

3892. Were there many with you on the deck of the steamer?—There were a great many.

3893. Was it a bad night?—It was a very bad night indeed.

3894. Had you any shelter?—None, except as a man can shelter himself.

3895. Was any shelter pointed out to cover you in case of bad weather?—There was not.

3896. Is this your contract ticket for the passage to America?—Yes—[*the same was handed in*]; it was from Mr. Hobbs. I got it at Limerick on behalf of William Tapscott & Co., 9th of November 1853; it was 3*l.* 14*s.* I gave him for it.

3897. Only 3*l.* 2*s.* 6*d.* is mentioned there?—Yes; but we gave him 3*l.* 14*s.*

3898. Why did they ask you for the other 11*s.* 6*d.*?—It was to pay from Limerick to Dublin; all the way from Limerick into New York was to be 3*l.* 14*s.*

3899. You did not afterwards sail in the "Commerce"?—No. When we went they proposed that we should not go in the "Commerce," but that they would put us into the "Andrew Foster"; we were looking for that, and we did not know the difference. They took about 30 of us, and put half of us back; they put 14 of us on board the "E. Z.," and we lived on board for about 16 days and a half.

3900. Mr. *Peel.*] Why did you not sail in the "Commerce"?—Because they did not give it to us.

3901. *Chairman.*] Had you any objection to going in the "E. Z."?—They did not ask us anything at all about it; I did not know the difference; about half were put back to the "Commerce," and half to the "E. Z."

3902. Were you on board the "Commerce" at all?—No; they told us it was gone about a fortnight before; but I went on board the "Andrew Foster."

3903. You were not on board the "Commerce" at all?—No.

3904. Did you understand what kind of sleeping places you were to have on board the "Commerce;" whether they were to be upon the upper deck or down below?—I did not see the "Commerce" at all; I saw the "Andrew Foster."

3905. You went on board the "Andrew Foster"?—Yes, and we were to live under the deck in that.

3906. Several of those who came with you had their sleeping places under the deck in the "Andrew Foster?"—Yes, they had.

3907. Then

3907. Then you were taken to the "E. Z."?—Yes.

3908. And then you were given sleeping places, where; on the upper deck?—Yes, on the upper deck, in the bows.

3909. Was there a deck below?—Yes.

3910. What was below?—There was nothing below but iron, anchors, and salt. There was room for nothing else; there was room for nothing of ours.

3911. There were none of you there?—No.

3912. You were all on the upper deck?—Yes.

3913. And the provisions for you were on the upper deck;—Yes.

3914. What kind of shelter had you on the upper deck?—We had a house made with boards over the hatchway.

3915. Over the main hatchway?—Yes.

3916. There were 14 of you?—There were.

3917. And several were of one family?—There was eight of one family, and another girl who joined them, which made nine.

3918. What was the name of that family?—Fitzgerald.

3919. Had you good sleeping places in that house on deck?—It was not bad at all.

3920. Now, when you were some time out, it happened that those houses were knocked away by a sea?—Yes, quite away.

3921. How long were you out at sea when that occurred?—A fortnight, two days and a half.

3922. Very bad weather?—The most of it was.

3923. The houses were knocked away by the sea?—Yes.

3924. Completely knocked away, or only broken down?—All clear away.

3925. And there were persons carried away with them and drowned?—There were; drowned altogether.

3926. You saw no more of them?—I saw no more of them than of a man that was at Cork.

3927. Mr. *Hamilton.*] Were they washed overboard?—Washed overboard, houses, people and all.

3928. How many people?—There were 14 of us, and some of the sailors themselves.

3929. Were you all washed overboard?—Thirteen were washed away; every one but myself.

3930. *Chairman.*] How many of the crew were washed overboard?—I am not sure about that; about half of them. There were four hurt, and one man almost killed, a week before that.

3931. Did you hear it said, that it was because the vessel was heavy with iron?—They were complaining that it was heavy and deep. I did not understand anything of it.

3932. Were you hurt at the time the houses were knocked away?—My finger was hurt, and my side was knocked up against the bulwarks.

3933. Was it at night, or in the day-time?—I heard them say that it was about half-past 10 in the day.

3934. Where you so hurt that you were not able to move for awhile?—Indeed I was; I was not able to turn in my bed.

3935. Where did they put you after the accident?—We were all together, captain and all.

3936. Where was the captain?—In his own room.

3937. Under the poop; in the after-part of the vessel?—Yes; a very good place.

3938. Had you good food?—They gave me no drink but water, and the biscuit was too hard for me.

3939. Mr. *Hamilton.*] Did that house that you have spoken of, when you left harbour, appear to be strongly fixed up?—We thought it was; we were not in dread of the water at all, but in dread of the wind.

3940. Did it appear to you to have been strongly and firmly fixed?—I thought it was, but I did not understand it.

3941. Mr. *Peel.*] What vessel was this?—The "E. Z."

3942. Before you left Liverpool in the emigrant vessel, did the emigration officer come on board?—I do not know.

3943. What was the whole number of passengers on board?—Fourteen.

*John Ryan.*

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3944. Only fourteen?—There was an English boy, which I believe made fifteen.

3945. Was that the whole number of emigrants on board?—I do not know what there was; from our own neighbourhood, I knew very well.

3946. *Chairman.*] Were there any others?—There were not, except the sailors.

3947. Mr. *Peel.*] Do you know the tonnage of the vessel; what size it was?—There were three masts in it.

3948. Captain *Scobell.*] Were you ever at sea before?—No.

3949. Not till you came over to Liverpool?—No.

3950. *Chairman.*] The vessel put back to Liverpool?—Yes, the same vessel.

3951. When you went on board the "E. Z.," before you sailed, were you called on deck to appear before any officer or any gentleman, or asked any questions by any gentleman?—No; the captain called all of us together.

3952. On deck?—Yes, and we showed him the papers that we had.

3953. This was on board the "E. Z."?—Yes.

3954. Was there any other gentleman with the captain, who did not afterwards sail in the ship?—I do not know, we were so crowded about.

3955. He examined your papers?—Yes.

3956. Did he ask you any questions?—He did not ask any questions, but he looked at them.

3957. When you put back to Liverpool, were you still suffering from the hurts?—Yes, and at home.

3958. But at Liverpool did you apply to any one to get something for your hurts, or to get back your passage-money?—I did, to one Daniel Courtenay, and he gave me 30*s.* to come back to Limerick; they gave me all the passage-money back.

3959. Did they give you anything besides?—A shilling.

3960. How long did you remain, after the vessel put back, before you went back to Ireland?—Two days; when I got to Limerick I got the balance from Hobbs, and 1*s.* besides.

3961. You got 30*s.* in Liverpool from Courtenay?—Yes.

3962. And you got your passage-money when you got back to Limerick?—Three pounds fourteen shillings; that was with the 30*s.*

3963. You got 3*l.* 14*s.*, counting that 30*s.*, and 1*s.* besides?—Yes.

3964. Anything else?—Nothing else.

3965. Were you told that you were to get anything else?—I was not.

3966. Are you aware that Mr. Bevan has applied for something else for you?—Yes; I have got 25*s.* from Mr. Bevan myself.

3967. That was to come over here?—I got that to bring me here.

3968. With regard to the owners of the vessel; did they send you any money, except the passage-money and the 1*s.* that you have spoken of?—I believe they did; 25*s.*

3969. Is not that 25*s.* the money that you got to pay your way over here this time?—It is not.

3970. Then you got that 25*s.*, and then Mr. Bevan gave you money to come over here?—Yes.

3971. And that 25*s.*, were you told, was from the owners of the vessel?—I was not told anything about it.

3972. It was handed to you by Mr. Bevan?—Yes.

3973. Of the Fitzgerald family; how many of them remained alive?—None.

3974. Is there not one of them?—Yes; they have a brother and sister at home.

3975. Did he get anything?—I think he did.

3976. You lost all your clothes?—Yes, everything, and every one that was with me.

3977. You got 25*s.*?—Yes.

3978. And you believe Richard Fitzgerald got something, although you do not know how much he got?—I do not know how much.

3979. Mr. *Peel.*] Supposing no disaster had happened to the "E. Z.," and your passage had been completed successfully, should you have had reason to complain of not being carried in the "Commerce"?—I had a great deal to complain of; nearly every day you would have the water up to your knees.

3980. Was the weather so rough?—Yes, it was no sooner in it than out of it; the water would come in and go out. If we were under deck, we should not have had that; we should be saved from it; it used to come under the bed-clothes; they used to be wet at the bottom, under us.

3981. Was there no room below deck?—There was no deck at all; it was all full.

3982. Were you placed on the deck, because there was no room below?—Yes.

3983. Although the number of passengers was not more than 14?—There were not more than 14 or 15.

3984. Captain *Scobell.*] How many of your own family?—None of mine.

3985. How large was this place where the 14 lived; how many feet long, and how many feet wide?—I could not tell that.

3986. How many steps would it be?—I could not tell that.

3987. When it was washed away, was there nothing over your head but the sky?—Nothing in the wide world, nothing but the sky.

3988. And there was nothing to prepare food?—Nothing to prepare victuals; the two galleys were washed away; the deck was cleared, in fact.

3989. Were any of the masts washed away?—No.

3990. Or any of the sails split, or did anything happen to the vessel?—There were some of the bulwarks of the vessel split.

3991. Did she not heave over on her side; was she not blown about by the wind?—Yes, she was; a hundred times, may be, in the day, off and on.

3992. Did the owner of the vessel, or the master of the vessel, return any of the passage-money of those that were drowned; was it ever claimed or sent back to the family?—Every one of them got their passage-money.

3993. They having been drowned, and the vessel having come back to England, was that money returned to their relations?—It was.

3994. *Chairman.*] Did the relations of the Fitzgeralds get the passage-money?—They did.

3995. Was your luggage and that of the Fitzgeralds put into the house on deck along with you, or where else?—On deck; they had no room anywhere else, except where we were.

3996. Was it heaped all about you?—When we came out of bed it was on the boxes we sat, we had not room otherwise. We ate and drank on the boxes.

3997. Captain *Scobell.*] How many sailors did you say were washed away?—I am not sure, six or seven; there were four of them hurt, and one killed.

3998. Were any of the sailors drowned?—I am not sure; I believe four or five.

3999. Where did they sleep; had they a place on deck like you had, or another place?—They were living in the end of the vessel; the very end.

4000. Where; on the same deck you were, or in any place under you?—On the same deck; the very day we were drowned, the sailors were swept away, on the same deck.

4001. Had they a place like yourself, and was that washed away?—Yes; there was about three feet between the sailors' place and our place.

4002. Then the sailors had no better accommodation to live in than you had?—They had not.

4003. And they lost their lives, as well as your friends?—Some of them did.

4004. Some of them were up about the sails, doing what was wanted to the vessel?—I suppose so; any one who was near the captain's cabin had some chance.

4005. Were you all in this place at the time that the sea washed away this house where you lived; were you all inside at the time?—All the passengers but me; at the time of the accident, I was outside.

4006. And that was the reason you were saved?—Yes, I believe so.

4007. How many of them were children, out of the fourteen?—There were none.

4008. No boys nor girls?—The most of them were girls.

4009. Mr. *Peel.*] Were they all grown up?—I believe the youngest of them was not less than fifteen years of age.

4010. Captain *Scobell.*] Did you all live together?—Yes, in one house.

4011. With no separation between you?—No.

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4012. Females and all in sight of each other?—Yes.

4013. Mr. *Peel.*] Were there no partitions?—None.

4014. Captain *Scobell.*] When you got back to Liverpool, did you tell anybody there that they had not put you on board the vessel they had promised to put you in?—I do not think I did say anything; I did not care, if I could come home.

4015. Mr. *Hankey.*] When you were on board the ship, had you plenty to eat and drink?—We had provisions of our own; we got it only twice from them.

4016. They gave you all you asked for?—We got it once a week.

4017. *Chairman.*] When they gave it once a week, did they give you what they said was to do for the whole of that week, or was it only for the one day?—For the week; they gave the week's provisions.

4018. Did they cook the provisions at the fire for you?—No, but ourselves.

4019. Mr. *Hankey.*] You could go to the galley and cook?—We had a galley to ourselves, and the sailors had a galley to themselves.

4020. Captain *Scobell.*] How many sailors were in the vessel when you sailed?—I think there were upwards of 20, but I am not sure.

4021. When you came from Dublin to Liverpool, how long were you on the passage?—I am not sure.

4022. Ten or 12 hours?—One night.

4023. About 14 hours?—I believe so.

4024. When you came to Liverpool to join the "Commerce," were you detained at Liverpool before you joined the other vessel?—We were there two days.

4025. Did they pay you anything for the two days?—They did not.

4026. In coming over from Dublin to Liverpool, did it rain; was it wet weather?—It was not; only little showers, that did not signify much; but it was chilly; it was a starlight night.

4027. *Chairman.*] Going back from Liverpool to Dublin in the steamer, were you also one night at sea?—One night I was coming; at four o'clock we went on board, and we were in Dublin in the morning.

4028. That was at the end of November?—Yes.

4029. Both passages?—Yes; it was five weeks since I went and came again.

4030. Going back from Liverpool to Dublin, you were on deck?—I was.

4031. Without cover?—I was.

4032. Was it bad weather?—Indeed it was bad enough.

4033. Was it cold?—Yes, the nights would be cold in winter.

4034. Was it raining?—Sometimes a hard shower, and then dry again.

4035. Was the spray from the salt water beating on you?—It used to come in showers sometimes.

4036. And no cover?—No.

4037. Captain *Scobell.*] Have you given up all notion of going to America?—I have nothing to carry me there.

4038. Has the danger you went through on board this vessel prevented you thinking any more about it?—I should not like to go there.

4039. Mr. *Hankey.*] You would not like to go to sea again?—Not if I could help it.

4040. Mr. *Peel.*] Why did not the "Commerce" take you?—They told me that the "Commerce" was gone.

4041. And they offered you the "E. Z." instead?—No, but they promised us the "Andrew Foster." That was Monday or Tuesday. Then they called another evening, on Saturday, and put us on board the "E. Z.," and the "E. Z." went out on the Sunday morning.

4042. Did any officer of the Government come on board to examine you?—I do not know.

4043. Captain *Scobell.*] What day of the month did you sail from Liverpool?—I could not tell you, but I know it was in the month of November.

4044. Was it the latter end, or the beginning?—The beginning of the month.

4045. Were you there before the day that is put on this ticket?—I was, two days.

4046. Two days before the time?—Yes.

4047. Did many others come over to go in the "Commerce" besides you and those

those that were drowned?—No, I did not know anything about the "Commerce," but their promising it.

4048. *Chairman.*] When you got to Liverpool it was the 11th of November, and you sailed on the 13th; when you arrived in Liverpool, where did you go?—We went into Tapscott's office, with Daniel Courtenay.

4049. Who is Daniel Courtenay?—He is a man that they keep.

4050. That the Tapscotts keep?—Yes.

4051. Had you known him before?—No, I had not seen him before.

4052. Where did Tapscott send you then; did he send you to the "Andrew Foster" at once?—No, he sent us back to Courtenay's house till next day, and when we arrived at Courtenay's house, they told us that we should go by the "Andrew Foster," to-morrow.

4053. Did you sleep at Courtenay's house at night?—Yes.

4054. Were you well treated?—We got lodgings there. We bought our provisions ourselves, and cooked them.

4055. Did you pay Courtenay for the beds?—We did.

4056. Did you get anything from Tapscott & Co., or anybody else, to pay for your lodging or food?—No.

4057. You came on the 11th; you slept at Courtenay's house on the night of that day; next day what became of you?—The same.

4058. Again you slept at Courtenay's house?—Yes.

4059. And you paid for your bed and food also?—We did.

4060. And you got nothing for that day either?—Yes.

4061. And then the day after you got on board?—Yes.

4062. Captain *Scobell.*] What did the captain tell you was the reason of his going back, after the people were drowned, after being 16 days at sea?—How could he, with one-half of his men gone; and there was a leak in the vessel; they were pumping it.

4063. Did he tell you whether you were nearer to America or to England when this accident happened?—We did not ask him.

4064. Did he tell you what he thought of the weather, and the heavy sea that was running, whether it was worse than he ever had seen before, or anything of that sort?—No.

4065. *Chairman.* You heard the people of the vessel complain of her being heavy with iron?—Yes; they were pumping her day and night.

4066. Captain *Scobell.*] Were you a single man then?—Yes; I was always single.

Mr. *Samuel Sidney*, called in; and Examined.



4067. *Chairman.*] YOU can give evidence with reference not only to details as to space, ventilation, and water-closets, but as to a want of defined responsibility on the part of shipowners and charterers, and the want of a practical remedy for breaches of contract?—Yes.

4068. Which will you take first?—The question of responsibility.

4069. State what defect there is in the present Passengers' Act, in your opinion, upon that subject?—

4070. Mr. *Peel.*] Have you given any particular attention to the subject?—I have been engaged in assisting emigrants, and have paid very close attention to emigration ever since 1846-47.

4071. In this country?—Yes.

4072. *Chairman.*] Have you been to Australia?—I have not.

4073. Have you made any passage with emigrants?—No.

4074. Mr. *Peel.*] You have inspected emigrant vessels before their departure?—Yes, frequently. I have seen the emigrants when they have been obliged to put back by stress of weather, and their correspondence has been constantly placed in my hands.

4075. Have you interested yourself principally in voyages to Australia?—Chiefly.

4076. Mr. *M. Milnes.*] Have you written any works upon the subject?—Several.

4077. Will you give their titles?—I wrote a hand-book to Australia, in 1848, in conjunction with my brother.

4078. Mr. *Peel.*] Descriptive of the country?—A brother of mine, who had

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returned from Australia, gave me some information, and I wrote a hand-book, with advice to emigrants how to act.

4079. When they arrived in that country?—Yes, and on this side also, of which I have corrected many editions.

4080. Captain *Scobell.*] Referring principally to the passage?—Paying special attention to that, and the robbery inflicted upon emigrants here and on the voyage.

4081. What other works have you written?—There were nine editions of the hand-book. In 1850 I addressed a letter to Mr. Sidney Herbert upon the subject of female emigration, especially with reference to the sufferings endured on the passage, and had several interviews with him upon the subject; and in the first edition of my "Three Colonies of Australia," I devoted a chapter to the same subject.

4082. Mr. *Peel.*] Was it subsequent to the date of your letter that the society was formed by Mr. Sidney Herbert?—Previously. I assisted Mrs. Chisholm in forming the Family Colonisation Loan Society; as she had not the means to have paid assistance, I volunteered to give my assistance whenever I could spare the time.

4083. Captain *Scobell.*] Where are you residing?—At Sydenham.

4084. This has taken place principally in London?—The port of London.

4085. It is the port of London where your experience has been acquired?—Principally in the port of London; I have seen something of Southampton.

4086. *Chairman.*] Have you paid any attention to the manner in which German emigrants are brought over?—No, I have not.

4087. Sir *T. Herbert.*] Have you been at Plymouth?—I was at Plymouth once, and I know something of it there; I always go on board an emigrant ship when I can.

4088. Mr. *Peel.*] Have you observed a great improvement on board emigrant vessels since the passing of the late Act?—There has been a steady improvement since public attention has been directed to this question between 1848 and the present time.

4089. Has the rate of improvement been more rapid since the passing of the Act of 1852?—Yes; there are some striking instances of that.

4090. *Chairman.*] Will you state the first fact to which you wish to draw the attention of the Committee?—The first fact I wish to draw attention to is, that practically the emigrant has no remedy for a great many serious breaches of understanding; I cannot call it a contract.

4091. Breaches of agreement?—Yes; ships are in the hands of shipowners and charterers, and very largely, when emigration is very popular, in the hands of brokers, under the name of "paper" ships; they advertise that the ships belong to them, when they really do not belong to them.

4092. Are they in the capacity of charterers?—No; they are merely a sort of agent; they go to some person, and ask leave to call a ship theirs, and then they advertise the ship as theirs; the result is a series of misrepresentations.

4093. Do they enter into a bond; are their names inserted in the bond?—Not at all. I do not believe they are inserted in the bond; very often they are private individuals, who merely take up the affair of collecting emigrants. They advertise falsely the class of the vessel, the tonnage of the vessel, and they make promises as to ship accommodation which they do not perform, and which there are no means of enforcing, because the power of the Government emigration officer only extends to third-class passengers and to the Government scale; any extra accommodation that is promised they have no means of enforcing. Now, in consequence of these false advertisements, there are no real means of ascertaining whether these statements are true or false. It is just like taking a ticket on a railway, in which you have never seen the carriage, you do not see anything of it until you are going in it, and then, under the present arrangements, it is too late to find fault.

4094. Do you mean promises in addition to the requirements of the Act, or are you speaking about promises for the observance of the Act?—Promises in addition to the Act. One defect of the Act is, that it only extends to third-class passengers; a very large number of persons are, as they consider, a little above third-class passengers.

4095. Mr. *Peel.*] Do you mean that the parties who are deceived by these advertisements have not a summary remedy given them by the Act?—Just so.

4096. But

4096. But they have their ordinary remedy at law?—Yes, but that is no more a remedy than if I were to have the Court of Chancery to help me in a dispute with a cabman; the remedy at law is practically no remedy at all.

4097. You can bring an action for breach of contract?—You can, but two-thirds of such people are not in a position to bring actions; people do not think of emigration till they want to go immediately; they have broken up their establishments, and are living in lodgings, and are quite unable to wait the time, if they can afford the expense, of an action, which is very rare. I speak from having had some most painful instances of this kind under my eye.

4098. Then these people being unable to remain in this country, for the purpose of prosecuting their rights, are obliged to leave?—Either to take what is offered, or forfeit their passages.

4099. Are you aware whether, on reaching their destination, they take any steps to assert their rights?—Sometimes they do; recently in Port Philip some instances have occurred in which they have; but much more frequently they are too glad to get away, and put up with any inconvenience.

4100. Even the class of persons of whom you are now speaking?—Just so; I wish to state distinctly that emigrants, in whatever class they take their passage, with the exception of saloon passengers in expensive steam vessels, are generally persons in a very needy condition; that is the rule. I have made out some statistics on that point.

4101. You are not speaking of Government emigrants now?—No, I am not; I will come to them presently: I wish to explain to you distinctly what sort of complaints I mean. The misrepresentations as to the class of vessel are sometimes serious, because the luggage will not be kept dry, which it would be if they were in a first-class ship. A ship advertised as an A. 1 ship turns out a ship without a character at all, or a ship advertised of "1,000 tons," turns out to be of very inferior tonnage, the accommodation is, of course, much less. A man is promised certain accommodation for himself, his wife, and daughters, and when he comes on board he finds that, instead of the promise being fulfilled, he is placed next the single men, with a very low partition; indeed I have constantly seen a partition of only 18 or 20 inches. He remonstrates, and if the demand for shipping is such as it was a short time since, he is told, when he has paid part of his passage-money, if he does not take that he may find anything else that he can, or he receives a promise that it shall be improved, which is not performed.

4102. Have they not generally an opportunity of inspecting the vessel before they engage their passage in it?—Emigrants are very anxious to do that, and they do it whenever they can; but there is an excuse that anything they complain of will all be made right at the last moment.

4103. Then they have an opportunity of inspection?—Sometimes they have; if a man is in a rural part of the country, he cannot come; but wherever they can they do come; but seeing a ship unfitted, and a ship ready to sail, is quite a different thing. They are told by some unauthorised person very often that this or that will be done; this particularly relates to water-closets. People with their wives and daughters are anxious to know where those will be; they are told, when they take their passage, that they will be in a suitable place; that is, a place away from the seamen, and away from the single men; if they know anything about a ship, they will press that particularly; most emigrants do not know anything about a ship.

4104. No reference to the locality of the closets is made in the advertisements of which you speak?—It is in making the bargain with the broker.

4105. These are mere conversations?—Yes, conversations.

4106. Would you propose that the parties who hold these conversations should be made responsible at law for everything they say?—No; I have a distinct meaning in what I say. I wish to impress on you that at the present moment a very large number of emigrants go on board ship, either under contract or with an impression that they will receive certain treatment, and that when they do not receive that treatment they have, in the first place, a difficulty in finding the responsible person; and, in the second place, in obtaining redress.

4107. Do they derive those impressions from written advertisements, or merely from conversations?—From both written advertisements of the most flattering character, and conversations; they are imposed upon by a series of misrepresentations;

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misrepresentations; you must always remember, in speaking of emigrants, that you are speaking of people who are quite ignorant of what they are going to do, very helpless, and often unreasonably discontented.

4108. Mr. *M. Milnes.*] What is the class of men who act as emigrant shippers? —The persons who collect emigrants; emigrants are largely collected by persons who make a trade of it.

4109. What is that class of men?—A class of men who have very little regard for truth.

4110. Are they of some respectability?—There are respectable men among them, of course, but the common name for them is "crimps."

4111. Do not these crimps frequently engage to take emigrants at a certain price, and then pass them over at a lesser price, pocketing the difference?—A good many instances of that kind have occurred.

4112. *Chairman.*] You are aware of the provisions of the Passengers' Act?—I am.

4113. We would rather you would specify where they are defective, and if you have facts to prove it, have the goodness to give them?—The first addition I should like to see to the Passengers' Act would be, a clause enacting that persons engaged in emigration should be specifically registered; that you should have a registry the same as that you have of cabowners.

4114. Do you mean owners of vessels?—The owners or the responsible person who puts the vessel on the berth. I wish to keep in view, as an example, the police regulations with regard to cabs; I can get nothing so near as that. In the next place, I think it should be rendered penal to advertise the tonnage and class of vessels falsely; they should be bound to advertise the correct tonnage and class.

4115. The emigration officer should make sure of that?—Yes.

4116. Mr. *M. Milnes.*] Do you mean that the emigration officer is to announce to the passengers of a certain ship what is to be the price of the passage?—No.

4117. Would you wish him to interfere with the price of the passage?—I do not see how he could.

4118. One of the great grievances which has been mentioned as coming from this unregistered system is, that the emigrant knows nothing about what is the market or current price of passages at the time, and therefore he is in the hands of these crimps, who get any money from him they can; would it not be advisable that the emigrant officer, when a ship is registered to sail at a certain time, should state what price the emigrant should pay for his passage? —Do you mean that the emigrant officer should fix the price for the passage?

4119. That it should be stated in connexion with the registration, with the advertisement of the ship, that it was to be ready to sail at that time?—I have not thought of that. I think the advertisement should contain certain information, and that it should be penal to advertise anything that was false.

4120. Mr. *Peel.*] Would you make the emigration officer responsible for the correctness of the statements in the advertisements?—No, I would not.

4121. *Chairman.*] But you have said so in a former question?—That was not what I meant.

4122. How do you mean to ascertain that there has been this misrepresentation; do you mean that the emigration officer should be the party to detect this misconduct?—I mean that every advertisement of emigration ships should state certain things, and that to omit to state those certain things, or to state what is not true, should be rendered penal. Whether that penalty should be enforced by the information of the emigration officer, or other means, I have not thought; but I think it would be advisable that the advertisement to take passengers should state that the ship was the property of a certain person, or that a certain person was licensed to convey emigrants.

4123. Mr. *Peel.*] Will you name the person to whom you would attachthe penalty?—The person who was licensed to carry passengers by that ship; sometimes it would be the shipowner, when he carries passengers himself, sometimes the charterer.

4124. *Chairman.*] The party shipping the passengers?—The party shipping the passengers should be the responsible person for contracts entered into, or misdemeanours committed on board that ship; at the present moment it is difficult

difficult to find out who is responsible; the passengers are shifted from person to person.

4125. Mr. *Peel.*] When you say the party licensed to carry emigrants, do you propose that no person should have a pecuniary interest in the conveyance of emigrants, who was not licensed for the purpose?—I would not say anything so wild, because many persons have an interest in the ship, but I would always have a respectable person licensed. There should be some one person attached to every emigrant ship, who should be licensed and responsible.

4126. You would not allow partnership in the business of emigration?—I do not object to a partnership; I would attach the responsibility to the shipper, and make one person responsible for the ship. It constantly happens, at present, that you enter into a contract with a person whose power to make that contract is disowned by the owners of the ship, who say to the party who paid a deposit, "We have nothing to do with so and so." A. issues an advertisement, stating that he will give passages by a certain ship; those advertisements appear day after day; people go to A.; they pay him a deposit, or the whole passage, more frequently the deposit, and then when they come to London, or some other port, to sail, they find A.'s engagement altogether repudiated. I would put an end to that, by enacting that the advertisements should contain certain information, and should not contain mis-statements.

4127. In those cases the advertisement is an imposition from first to last?—Yes, that is the ordinary thing.

4128. Mr. *Hamilton.*] In point of law, it is a fraud at the present time?—No doubt of it.

4129. Do you propose, then, that the mode of convicting parties, guilty of that fraud, should be rendered easier?—Rendered easier; that is all.

4130. *Chairman.*] Did you ever call the attention of the emigration officer or of the Emigration Commissioners to that?—I do not think I have personally; I have written articles in newspapers on the subject.

4131. You have known several cases?—Very many; so many cases, that it appeared quite a common thing during the time that emigration was a very profitable business; it does not occur so much now.

4132. Mr. *Peel.*] That evil is not on the increase, but declining now?—I think it will arise whenever there is a rush of emigration, either from poverty of this country or wealth of the gold fields.

4133. Have these advertisers no vessels at all in which to accommodate the emigrants?—They have a kind of arrangement with the owners of vessels; they are like recruiters, they collect emigrants; their ships are known in the trade by the name of "paper" ships.

4134. *Chairman.*] Are they in the employment of the shipowners?—Not exactly; they receive a commission.

4135. Do the respectable shipowners encourage the practice of these false statements; have they the means of being aware of it?—No, they are far removed above it; they do not trouble themselves so long as their ships are filled.

4136. *Chairman.*] Upon the head of responsibility, bearing in mind that our object is to find out the defects in the existing Act, what further statement do you desire to make?—I think I shall sum up all by saying, that the theory at present is correct, and that the Government officers are usually anxious to carry it out; but the practical means of a more summary remedy is needed, and a more easy mode of ascertaining who is the party responsible for misdemeanors.

4137. Mr. *Hamilton.*] What more summary mode would you suggest?—I would make all emigrants, of whatever class, in the same position that third-class passengers now are; wherever possible, they should have a summary remedy before a stipendiary magistrate. The summary jurisdiction extending to all passengers is essential. Two advantages will arise from placing all passengers on the same footing. Owners and parties engaged in emigration would take more pains to do it well, if they were equally answerable to all classes; the persons who are passengers, superior to third-class passengers, have not the means or the time to bring actions, and they would feel more interest in the third-class passengers.

4138. Mr. *Peel.*] Are not all passengers placed on the same footing, if they are content with the same accommodation?—Certainly, if they are all third-class passengers, they are all on the same footing, but that is rarely the case.

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4139. If they choose to make arrangements beyond those which the Act of Parliament thinks necessary for their comfort and safety, may they not be left to enforce those arrangements as they please?—I do not think it is an advantage to those who are steerage passengers; I think it disadvantageous that there should be any difference between steerage and other passengers.

4140. Do you think, then, there is a disadvantage in there being a difference in the accommodation made for different classes of emigrants?—I would give a summary remedy to all, because I think they all need a summary remedy. I will state why. For any exceptional legislation there must be a reason. Trade is generally conducted by persons under the influence of their self-interest, the law, or through public opinion. Proprietors of emigrant ships are not influenced by any of those feelings. The law will not practically touch them; there is no public opinion, and their self-interest is not strongly acted on, because they never see their customers again. I would rather not give an instance, because it would seem like an attack on a respectable firm. I could mention instances in which there have been very gross laches, but I do not think it is worth while to make an attack by mentioning names. I believe that other means will remedy the evil.

4141. Captain *Scobell.*] Are you speaking now of first or second-class, or steerage passengers?—If you ask me where the greater number of instances have occurred, it is among those just above the steerage passengers; second-class passengers.

4142. Therefore you think they should have some security by law?—If you give the same security by law to all classes of passengers, there will be very few occasions for calling the law into operation.

4143. Mr. *Hamilton.*] Then you think it desirable to provide by legislation for the security of parties who are able to take care of themselves?—They are not able to take care of themselves.

4144. You propose to extend the same privileges to all classes?—A summary remedy for the enforcement of contracts with regard to ships, just as we have with regard to cabs. I do not ask a man to bring an action for a breach of contract for a cab.

4145. Mr. *Hankey.*] You said these were not contracts?—They are frequently contracts.

4146. They are fraudulent promises?—Very frequently contracts.

4147. You stated that people were deceived by crimps, and other persons, who had an interested motive in going about making fraudulent statements?—That is true, so far.

4148. Confine your observations to that particular class of difficulties; could any legislative measure interfere, by Act of Parliament, otherwise than by considering it a matter of mere fraud. You say a man makes a false statement; he puffs off the ship from some interested motive; he has an interest in the commission that he will procure; and the emigrant is completely deceived; how would you propose, by any legislative enactment connected with any Passengers' Act, to remedy such an evil as that?—I cannot prevent people telling lies, but I can punish them after they have received a man's money. The moment they have received his money it is a contract.

4149. You were understood to say, that the man who made this statement never received the money at all?—No; it is to prevent their receiving money that I made the suggestion I did.

4150. Mr. *Peel.*] You were asked just now whether you contemplated first-class passengers, and you stated in reply, that you referred particularly to the class above the steerage passengers?—I said, the greatest number of instances of injury occurred among that class.

4151. Does not the present law include what are called intermediate passengers?—Certainly not; I think not for any provisions above the Government scale; it does not include any breaches of contract.

4152. Mr. *M. Milnes.*] Would you require that these agreements should be written contracts, or would you be content with their being verbal arrangements?—Written contracts.

4153. Captain *Scobell.*] Is not the sum of what you recommend this, that every class of passengers should be under the protection of summary jurisdiction?—That every passenger should have the protection of summary jurisdiction; that the tonnage and class of vessel should be painted in a conspicuous position on every

every emigrant ship; and that some person should be licensed and responsible. Now, if an emigrant is detained, as constantly happens, many days, or weeks, after a vessel is advertised to sail, at an enormous inconvenience, he is bandied about from the owners to the brokers, from the brokers to the chief office, from the chief office to the captain, and back again.

4154. Mr. *Peel.*] Would you propose that the emigration officer should not clear a vessel, which had not complied, not with the provisions of the Act, but with the conditions inserted in these advertisements you speak of?—No; I only wish the emigration officer to have power to refuse to clear a vessel when it has not complied with the Act of Parliament, and that Act of Parliament might include the two or three provisions I have suggested. I have no idea of extending the duties of emigration officers to looking into advertisements.

4155. What are the additional provisions you propose to insert in the Act on this point?—The additional provisions I propose to insert are, responsibility of the owner, the tonnage and class painted up, and, above all, a summary remedy for each passenger for breaches of contract.

4156. Then, although you would give a summary remedy to the passengers to enforce the conditions of these advertisements, you would allow the emigration officer to clear the vessel, provided he complied with the conditions of the Act?—Yes, of an amended Act.

4157. Suppose the advertisements guaranteed a space of 20 feet square to every passenger, and the Act said that the superficial area necessary for each passenger should not exceed 14 feet; would you require the emigration officer, in that case, not to clear a vessel which did not give 20 feet, according to the advertisements?—I should be satisfied with the emigrant having a summary remedy for penalties, or otherwise, against responsible parties, for a breach of his contract.

4158. *Chairman.*] Did you not say that the emigrants had no power of ascertaining those facts?—Not until they arrive on board.

4159. The vessel may be on the point of sailing?—Yes.

4160. Do you propose, then, to amend the Act by embodying a provision compelling the clearing officer to see that the terms of the advertisement were kept?—No, I do not want to recommend anything that is impossible. I am recommending those things that I know to be possible.

4161. Mr. *Peel.*] Are you aware that the emigration officer would not be justified in clearing a vessel in which he knew an offence had been committed, which exposed parties to penalties under the Act?—Yes, for instance, supposing each emigrant has not 15 cubic feet, he would not be justified in clearing a vessel.

4162. With regard to your suggested alteration, you would allow the emigration agent to clear a vessel in which he knew there was a violation of your law?—I take for granted that one main object of the Act is to secure health; that is all he can do. I cannot make him attend to every single contract, unless a summons is pending.

4163. If we adopt your suggestion, you would have the emigration officer conniving at a violation of the law?—If a complaint is made, or if a complaint is pending, I would not allow him to clear. I go on board a vessel, and instead of finding a cabin 24 feet square, I find it 12 feet; I should have a summary remedy in my hand, according to my suggestion.

4164. *Chairman.*] But supposing you have not time, the vessel being about to sail when you are on board?—Then I would not allow the vessel to clear; the complaint being pending, it would be matter-of-course settlement.

4165. Then you think the Act should be amended, in order to give the emigration agent power to delay the sailing?—With a summary process.

4166. Mr. *Peel.*] According to that, you would be guided in giving this clearance by the advertisements, which vary in every instance?—No, by the fact whether there was a summary process then pending between any emigrants and the parties, the owners of the vessel, which could be decided in half an hour; it might be by the clearing officer himself.

4167. *Chairman.*] Do not you see that you would require two Acts of Parliament for that; you would require, first, a measure to give the emigrant a right to recover by summary process; then you must take up the Passengers Act, and give the officer power to notice that, and then give power to stop the vessel?—Perhaps I have done wrong in suggesting remedies so much in detail; I

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mention to you what occurs to my mind. A man finds that his contract has not been fulfilled; he has a difficulty in finding who is the responsible person; he complains that he has not the berth he engaged for, and that there is not proper accommodation as to water-closets; I want a remedy for that, and I will leave the Legislature to make that remedy.

4168. Mr. *Hankey.*] One of your complaints is, that the man cannot find the responsible owner?—Yes.

4169. You are well acquainted with the mode of carrying on shipping, and must be quite aware that there is no difficulty in finding the responsible owner; the person who has made the contract is *quasi* the responsible owner; he would not have to go and find that the owner was at Newcastle or Van Diemen's Land?—It is so in theory; but in consequence of persons being allowed to advertise themselves in the way they do, a man, who is a man of straw, enters into a contract, and that contract is repudiated.

4170. Are you aware that the Act of Parliament obliges that person to give a bond for the fulfilment of a certain duty?—No, not the people who collect emigrants in the country.

4171. Then that is a fraudulent representation?—Not exactly.

4172. They are not authorised persons?—They receive the commission from very highly respectable owners; practically, it is so.

4173. Captain *Scobell.*] If contracts are entered into, and not fulfilled, you would so alter the law as that there should be a summary remedy for any visible portion of the contract not being fulfilled, and enforce that before sailing, and not afterwards?—Not to leave them to the remedy by action.

4174. To have a summary remedy to put it right before they sail?—Just so. I refer again to the cabs. If I take a cab, I take a ticket, and know where to go to for redress.

4175. Mr. *Peel.*] You do not prevent that cab driving about all the time the case is under consideration?—I can always find a cab; I cannot find a ship.

4176. Do you propose to delay the ship or not?—I propose a summary remedy, which is a matter of a quarter of an hour in most cases.

4177. Mr. *Hankey.*] There might be 100 different cases, and each man might have a different description of complaint; one might be a want of space, and another a want of food?—Allow me to say that emigrants are always most anxious to go. You must take the thing practically. All this might happen, but it is very improbable. It is a great expense to them to be detained.

4178. *Chairman.*] If there be a competition amongst these brokers, or whatever they are, to get passengers, you can place no limit to the promises they may choose to make these parties in advertisements; do you not see they may promise a variety of things?—But if you make a respectable person responsible, he will not allow disreputable people to act for him.

4179. Mr. *Hankey.*] Does not that same remark apply to all goods, and everything shipped from the port of London in every vessel; a broker may make all sorts of false representations as to the date of sailing of vessels particularly; did you ever hear of any difficulty occurring by a person not being able to find a responsible owner?—Emigrants are not to be compared to other persons; they are an exception; they are the most helpless people in the world.

4180. Are they more helpless than a person shipping a bale of goods?—Yes; a person shipping a bale of goods is generally resident here, and understands his business, which emigrants do not.

4181. In shipping goods the greatest possible inconvenience is found by the non-fulfilment of promises made; but we have always held that promises are only binding when put into a legal form?—Just so; I want some additional protection.

4182. Captain *Scobell.*] You draw a great distinction between men, women, and children, and goods?—Yes, very great; the owner of the goods resides here.

4183. Mr. *Peel.*] You do not recommend the detention of the vessel for the purpose of enforcing the conditions of these advertisements?—Not at all; I would not allow a vessel to go away until the owner has performed his contract with the emigrant, his written contract.

4184. You would, therefore, run the risk of detaining some two or three hundred passengers for the sake of settling the complaint of one of them?—I would; it is done now.

4185. In what cases?—It constantly happens that a vessel is detained because the Government officer is not satisfied, or to suit the convenience of the owner.

4186. The Government officer detains a vessel for the violation of an express enactment of the law, and for the benefit of all?—Exactly. Practically, emigrant ships never sail on the day announced; therefore emigrants are detained beyond their control.

4187. *Chairman.*] Supposing one of these ordinary passengers within the description of the Act was to choose to engage for himself the space of three emigrants, and when he came on board he found he had only the space allotted by law, would you have all the other emigrants delayed till such a case as that was decided?—I do not say I would; I can imagine difficulties being raised against any law; steerage passengers have the right of summary remedy in their own hands.

4188. In cases of violation of the Passengers' Act?—Just so.

4189. What is the next matter you wish to lay before the Committee?—The Government officers now are called upon, in a very hurried manner, not only to decide upon the quality of the provisions, which is a very tedious business, but also on, whether the ship complies with the Passengers' Act in other respects. The Passengers' Act gives a certain space to each passenger. It also commands a certain number of water-closets to be provided for the number of passengers on board. If the officer finds any deficiency, there is not only delay, but hurry in executing it. Now, I have seen orders for water-closets being given, which is one of the most important things connected with emigration ships, at the last moment. There is a hesitation in cutting the ship in the necessary manner; there is a great hurry, and the carpenter's and plumber's work is very badly done, and the end is, that the ship goes to sea with its water-closets very badly executed.

4190. Have you seen that?—I have.

4191. Have you seen it in more then one instance?—Yes, I have; I heard of it at Plymouth, when the ship was round there; I have heard of it in others. If the shipowners were bound to give to the emigration officer a plan and section of the ships, with their arrangements, a few days before, there would be time to consider that point, to mark where the water-closets ought to be, and to enter into a bond to have them up at a certain date. If there were not a sufficient number he would be able to point out any defects; and the same remark applies to ventilation.

4192. Mr. *Peel.*] How is he to know the number of water-closets that will be required, unless he knows the number of passengers?—That is always known within a fortnight's time of the vessel sailing; he is certain that some will be required. At present water-closets are building when the ship goes out of dock. There is another point, with respect to ventilation. I think it would be a very great improvement if the adoption of some one of three or four fixed plans of ventilation were made compulsory instead of depending on a windsail, and cutting holes, which are often extremely imperfect. If the Government officer finds the ventilation imperfect, it is difficult for him to remedy it at the last moment.

4193. *Chairman.*] But he has a discretion under the Act?—Yes, but it is very difficult for him to carry it out; something much more definite is required.

4194. Opinions differ so much on ventilation; how would you propose to specify a particular plan?—I am not prepared to specify a plan.

4195. Would you propose that the Government should?—I would, decidedly.

4196. Mr. *Peel.*] So as to prevent the adoption of new improvements without amending the Act?—Then the improvements would be applicable to every new vessel; when a vessel arrives at the port of destination every fitting is cleared away.

4197. If we were to require some particular plan of ventilation by an Act, would that be so?—I would not do it by an Act; I would give the Government power to make rules, as the Board of Trade, for instance, has in the case of railways.

4198. Have they not power now?—No, I think not; they have not exercised it; they have never felt themselves in a situation to order a particuliar kind of ventilation; the ventilation is very deficient. I was on board a vessel the other day, a vessel of note, where the ventilation was extremely deficient, and yet it

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was a very first-rate vessel. I am sure the Government must have the power of ordering a particular kind of ventilation if they think it necessary.

4199. *Chairman.*] Were there windsails to that vessel?—Yes, but they are not available except in fine weather.

4200. Were there any funnels or tubing?—No.

4201. Was she a large vessel?—She was a large vessel.

4202. Mr. *Hamilton.*] Your suggestion under this head is, that instead of waiting until the last moment, the owner or master of the ship should give notice, before taking on board passengers, to the emigration officer, in order that his vessel might be inspected then, and that the necessary alterations might be made before the passengers came on board; is that the substance of your recommendation?—That within a certain number of days, which should be settled by the emigration officer, a plan and section should be delivered to the Government officer of the arrangements as to the ventilation and water-closets and hospital.

4203. In fact, all the requirements of the Act?—Yes.

4204. As far as construction is concerned?—Yes; perhaps I may explain that it would do something in the way of public opinion; the very fact that the shipowners had to supply that, would make them more careful.

4205. Captain *Scobell.*] In the 23d section of the Act it is stated, that "no passenger ship having on board as many as 100 statute adults, shall clear out or proceed to sea without having on board an adequate and proper ventilating apparatus, to be approved by the emigration officer at the port of clearance, and fitted to his satisfaction." What is the meaning of "ventilating apparatus" there?—That is the very thing I want to know.

4206. Do you find in your experience that the vessels which are examined by the emigration officer have any ventilating apparatus?—They have the hatchway.

4207. An apparatus, of course, implies something beyond what an ordinary vessel has?—A very short time ago I saw one of the finest vessels that goes out of the port of London, with distinguished emigrants on board, and there was no ventilating apparatus; at any rate there was no ventilation; mechanical ventilation is a new thing, a new idea altogether.

4208. Your idea is, that the Emigration Commissioners should have power to order a ventilating apparatus, and alter it from time to time?—

4209. Mr. *Peel.*] That power they would appear to have, although they have not exercised it?—The section is not express; my object is not to find fault with any one, but to help on the general system.

4210. Captain *Scobell.*] By the section I have called your attention to, it is provided, that the ventilating apparatus is to be approved of by the emigration officer at the port of clearance; your object is to get an uniform system?—If it is left to the emigration officer, I am quite satisfied with that.

4211. Might not one emigration officer think one apparatus the right one, and another officer a different one?—There would be no objection to that, as he is the person clearing.

4212. Mr. *Peel.*] And being all officers of the same board, of course the board would enforce uniformity?—Yes, but I do not desire uniformity.

4213. Captain *Scobell.*] The emigration officers are not selected for being familiar with ventilation?—Captain Lean is very capable and very zealous.

4214. If they are not judges, they might differ in their opinions?—If emigrants can breathe well when they are all in the ship with the hatches closed, that is a good ventilating apparatus.

4215. That is not proved till after they have got to sea?—It can be proved pretty well before they go to sea.

4216. *Chairman.*] Have you any suggestion to make with regard to space?—With regard to space, I have some figures here; I find that, taking six ships which went one after another with additional space, and putting them against four ships with the Government space, that the six ships took a great many more children, and did not lose any.

4217. Mr. *Peel.*] When you speak of Government space, you mean the Parliamentary space?—Yes; I am alluding to the family colonisation ships of Mrs. Chisholm. In the first ship there were 156 adults and 77 children; they had one death of an adult.

4218. *Chairman.*] In these ships, is there space given to the children separately,

rately, or are two children above the age of one, and under the age of 14, considered, as under the Passengers Act, a statute adult?—More space to all; nearly four feet more; it is 12 per cent. more space.

4219. Whether children or not?—Yes; in the second ship there were 180 adults and 50 children; there was only one child died, 16 months old, and one person, 70 years old. In the third ship there were 173 adults and 87 children; there were only two adults died, and one child of seven years old; thus, out of six consecutive ships, with 502 children, including babies, there were only six deaths. That is on the child case. I would say, then, that if it can be done with safety to the public health, it is highly desirable to give every encouragement to people with infants to emigrate; because, if they cannot emigrate, those children are thrown on the parish in a great number of instances, and it is people with large families who have most need to emigrate. I am referring to voluntary emigration, not to Government emigration.

4220. And for that purpose you would give an increased space as an encouragement?—Yes, and some little improvement in the diet. I have mentioned that against the deaths of 85 children in one set of ships, and there were 34 children in another.

4221. Mr. *Hamilton.*] Were the circumstances in other respects tolerably analogous?—Yes; I think where so many children died, the people were not, perhaps, in so good a station of life.

4222. What is the length of the voyage?—The Australian voyage.

4223. Mr. *Peel.*] When did those vessels, of which you speak, with a large mortality among children, leave this country?—The "Marco Polo" was one of the ships, some time before April last year.

4224. The six ships belonging to Mrs. Chisholm were six ships which sailed in consecutive order from this country?—Yes.

4225. Were the four ships you have chosen, four ships sailing in succession?—They did not sail in succession, but all about the time of the gold mania.

4226. You have selected four having the largest mortality?—Yes, they came into my note-book in consequence of the large mortality. I am perfectly aware that the mortality on Government ships has generally been low, except with regard to children.

4227. Has there been any instance, in Mrs. Chisholm's emigration, where there has been a considerable number of deaths among the children?—No, never.

4228. You are aware that the deaths among the children in the "Marco Polo" have been accounted for by the Emigration Commissioners?—I do not remember the exact reason they gave for it.

4229. Have you heard that there were two passenger decks?—Yes, I remember that circumstance; that is a case where ventilation was needed.

4230. Were there two decks in any of Mrs. Chisholm's six ships?—No; it is objectionable.

4231. *Chairman.*] You have instituted a comparison between the loss of life among the children on board certain ships under Mrs. Chisholm, and certain other ships?—Just so.

4232. Of those certain other ships, where the mortality was greater, were any of them the "Marco Polo," the "Wataga," the "Wanata," the "Borneuf," or the "Ticonderaga?"—Yes,

4233. Mr. *Peel.*] Those are the four vessels in which the mortality was excessive?—Yes.

4234. That led the Commissioners to alter their regulations?—Yes.

4235. *Chairman.*] Have you any statistics as to the loss of life on board vessels, besides those four; those four were under peculiar regulations?—I have not statistics, but the regulations of the Commissioners limited the number of young children, on the ground of the danger of mortality. They afterwards relaxed that regulation; they then withdrew it, in consequence of this mortality. My conclusion is, that if they increased the space, it would not be necessary, other things being equal, to diminish the number of children, putting on one side the economic value of children. It is not dangerous to send children, if you give them space enough.

4236. Mr. *Peel.*] Were the emigrants on board these six ships of the same class as Government emigrants?—A rather superior class, but they were very poor; they had not a shilling apiece to spare in one of the ships.

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4237. The space allowed by Government is about 14 feet; the space allowed by Mrs. Chisholm is 16?—We take 12 per cent. less emigrants.

4238. *Chairman.*] Mrs. Chisholm recommended that an increased space, beyond that given by the Passengers' Act, should be given?—Beyond that, to all passengers.

4239. But particularly to children?—At present by law 18 inches in breadth is allowed to an adult, and in a six-foot height you may put two tiers.

4240. Two children above the age of one, and under 14, count as one statute adult?—Yes.

4241. Mrs. Chisholm was understood to recommend that one child should be counted as an adult?—Just so. The observation as to the plan and section applies also strongly to the hospitals; it would show where the hospital is to be placed. I have seen some shocking places for the hospital, quite dark, and not ventilated at all; and the hospital has something to do with the children's health.

4242. Captain *Scobell.*] Has not the dietary something to do with the children?—I know it only from Mrs. Chisholm.

4243. Should not you attribute the healthiness of the children, in the one set of vessels, and the unhealthiness of the children in the other, in some degree to the better kind of nutriment the children have?—I have had many conversations with Mrs. Chisholm to that effect.

4244. That it is so?—That it is so. I think that is all I have to say, except that I think in the Government ships the division between the married people should be higher.

4245. Mr. *Peel.*] You mean the Government emigration ships?—Yes.

4246. *Chairman.*] What height are they now?—Eighteen inches I think; that is the height in the depôt.

4247. Do you speak of bulkheads athwart ships?—There are recently curtains in front. There was a ship went out from Southampton, the "Manchester," fitted up on an improved plan, like Mrs. Chisholm's; but very often in ships the division between two married couples is not high enough; it struck me so. As the officers have it in their hands they may have altered that, but still I have been struck by it very much, both in private and public ships.

4248. Mr. *Peel.*] How high do you say those divisions are?—I am afraid to state in inches. I am comparing them with the depôt. I was shocked with the indecency of the depôt in Birkenhead; it struck me as being about the same height.

4249. Approximately, how high?—High enough to put your hand over the next berth.

4250. Three or four feet high?—I have not been on board a Government ship for some time.

4251. Captain *Scobell.*] Do you know the amount of bond now given by any party?—No, I do not.

4252. *Chairman.*] Have you seen anything of the system called the crimping system at Liverpool?—I have met people in the street who were destitute, who assured me they had paid their money to crimps. Emigration is a thing I am always inquiring about.

4253. You are not aware of any facts from personal observation?—Except seeing the distress of these people.

4254. What suggestion do you make as to that?—The suggestion arises out of the suggestions made in the last evidence taken in this case; it was suggested that it should become a municipal or Government affair, which I do not think practicable. I think if we were to have one exchange, where all passages should be taken, and where every broker should be obliged to have his office, you would give a great check to the evil.

4255. Mr. *Hankey.*] That could apply only to London and Liverpool?—To Liverpool only, where the great evil exists. Liverpool is in a very different position to London.

4256. *Chairman.*] You are understood to concur in Mrs. Chisholm's recommendation, that children should have the same space as adults?—Yes, I concur entirely, and as to diet also.

4257. Captain *Scobell.*] Do you know anything on the subject of the dietary allowed by Act of Parliament?—I have often seen it examined in the emigrant ships.

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4258. Do you approve of that dietary as being sufficient?—When it is of good quality; it is sufficient for most people.

4259. It has no meat at all?—Then that will not do. I do not think that dietary ever is adopted in Australian ships.

4260. I am only speaking of the Act prescribing it?—It would never do for English people.

4261. There is no meat or potatoes in the first dietary table?—English people would not keep their health up on it.

4262. It would be lawful to feed them so, and no better; would that account for the mortality you have been speaking of?—One dietary would be the safest, course.

4263. Would you think that that dietary should be varied; the Act of Parliament prescribes the dietary?—I have not gone so closely into that. I should not like to say anything about it.

4264. *Chairman.*] Have you any other suggestions to offer?—No.

Sir *William Pym* called in; and Examined.

Sir *W. Pym.*

4265. *Chairman.*] YOU are connected with the Privy Council Office?—Yes.

4266. It has been given in evidence by the Mayor of Limerick, that in the month of April, cholera broke out on board several ships in the river at Limerick, and some of them went to sea with the cholera on board. The Mayor of Limerick wrote to the Collector of Customs who cleared the vessels, to know if that was the case, and to ask how they could go to sea without a clean bill of health; and this was the answer he received: "Dear Mr. Mayor,—With reference to your letter of this date, inquiring what steps are taken by the owners of emigrant vessels at this port to obtain from this department a clean bill of health, I beg to acquaint you that the usual form of this document has, since the cholera has been officially declared to exist in this city, been altered as noted in the enclosed specimen, in compliance with an order of the Lords of Her Majesty's Privy Council, dated in September last, and issued on the occasion of this disease appearing at Newcastle.—I am, dear Mr. Mayor, yours faithfully, *Frederick Trevor*, Collector." The document is then the usual bill of health, till we come to the last paragraph: "Now know ye, that we the said officers do hereby make it known to all men, and pledge our faith thereunto, that, at the time of granting these presents, no plague or any dangerous disorder, except epidemic cholera, exists in the above port or neighbourhood"?—There was a mistake made by the Custom-house officers at Newcastle. An officer of the Board of Health had declared that epidemic cholera existed there; and, notwithstanding, they gave bills of health without inserting the words "epidemic cholera."

4267. The local officers?—Yes; the instructions from the Board of Privy Council were, that the words "epidemic cholera," ought not to be expunged, as the medical inspector from the Board of Health had declared the existence of that disease.

4268. That was at Newcastle?—Yes; the Lords of the Council then directed that all vessels sailing from ports where epidemic cholera prevailed, should have the words "epidemic cholera" inserted.

4269. But no vessels were prevented sailing because of having cholera on board?—No.

4270. Mr. *Peel.*] These bills of health were understood as meaning that there was epidemic cholera at the port of sailing?—Yes, and consequently the issue of foul bills.

4271. And that the vessels were quite healthy?—Yes; it would be a great thing, in my opinion, to prevent vessels sailing, having cholera on board. But even healthy vessels ought to be detained a few days to ascertain that none of the people were infected before they sailed.

4272. There is no such regulation at present?—No; but it would be a good regulation, so that the passengers might be regularly inspected by a medical man.

4273. In fact, you would have a quarantine both at the port of departure and the port of arrival?—When a ship is loaded with a living cargo I would recommend that she be detained in that port some days before she sails, so as to

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ascertain that none of the people are infected. It is supposed generally that a person may be infected with cholera five days before it appears; that the incubation of the disease in the human system is five days.

4274. Would there be no risk of cholera breaking out amongst a number of passengers on board a ship remaining in a place infected with cholera if you detained her?—Not in harbour, if they are at a certain distance from the shore. The object being to prevent communication with cholera patients, under the impression that cholera may be communicated from person to person.

4275. Mr. *Hamilton.*] Is there not great difference of opinion with reference to the expediency of those regulations?—No doubt; but whenever you have one patient on board with cholera, you are almost sure that it will spread in that ship.

4276. Now this bill of health, to which reference has been made, is so altered as to recite exactly the facts of the case, as they were at the time?—Yes, so as to make it a foul bill.

4277. It stands then as a bill of health, *quantum valeat*, either a foul or clean bill of health, according as the interpretation of a foul or clean bill of health might be interpreted at the port she is going to?—It certifies the existence of disease, which makes a foul bill.

4278. Mr. *Peel.*] Supposing that a vessel had cholera on board, and sailed from a port or neighbourhood where there was no disorder of any kind, in that case would a bill of health be given to a vessel?—A clean bill, if cholera did not exist at the port from whence she sailed, and *vice versâ.*

4279. But, supposing there was cholera on board a vessel, and not in the neighbourhood, or the place from which she sailed?—The officers on shore would not be aware of that. The Custom-house officers would not know that the cholera existed in the ship or not. If they knew it of course they would not give a clean bill of health. Their declaration is as to the state of health of the population on shore.

4280. There is nothing to prevent a vessel sailing with cholera on board, if she pleases?—No.

4281. Mr. *Hankey.*] The meaning of a clean bill of health is, that disease of any particular kind, does not exist at the place or port of her departure?—Yes, that is the object. The officers of Customs, who give a bill of health, are not aware what is the case with the crew.

4282. And, by the Act of Parliament, or by the Orders of Council, the bill of health must state if there is any disorder of an infectious or epidemic nature at the time?—Yes, certainly; that constitutes a clean bill or a foul bill.

4283. Mr. *Peel.*] Does not the vessel receive, not only the document, which is called a clean bill of health, but also a document showing that there is clean health on board?—No, we have nothing to do with those on board. It does not interfere with the crew at all, in giving a bill of health.

4284. Supposing a vessel arrives at a place where quarantine is imposed, it is required that the vessel shall show not only a clean bill of health, but that she has clean health on board as well; is not that the case?—Yes; a ship arriving with a case of cholera on board, according to the old regulations, would be kept at quarantine a few days; but that regulation ceases so soon as the existence of the disease on shore has been declared.

4285. Captain *Scobell.*] If there was nothing interlined here, or if the words "epidemic cholera" were not interlined, and no erasure made in that document, would not that be a clean bill of health?—Yes.

4286. If there was no alteration in the printing?—Yes.

4287. Have any of the officers at the different ports authority to make these alterations, or other alterations, as the case may be?—No, they have not.

4288. By what authority were these alterations made?—They were made by an Order in Council.

4289. Have you got that Order in Council?—Here is a rough copy of it.

4290. Read it?—This is addressed to the officers of Customs, 19th of September, 1853. "Mr. Maclean. Sir,—Having submitted to the Lords of the Council your letter of the 16th instant, stating that the principal officers of Customs had erased the words epidemic cholera from the bills of health to be issued to vessels sailing from the port of Newcastle, although

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although Mr. Granger (one of the inspectors of the General Board of Health) had reported to them that epidemic cholera prevailed in that town, I am directed to state that their Lordships cannot approve of the words 'epidemic cholera' being erased from the bills of health issued to vessels leaving Newcastle, when the existence of that disease has been officially announced. I am therefore directed to state to you, for the information of the Commissioners of Customs, the desire of their Lordships that instructions should be given to the principal officer of Customs at Newcastle to retain the words 'epidemic cholera' in the bills of health issued to vessels sailing from Newcastle, so long as cholera continues to exist in an epidemic form. I am further directed to state the desire of their Lordships that the words epidemic cholera should be retained in the bills of health issued to vessels sailing from ports where the existence of epidemic cholera has been declared."

4291. *Chairman.* That was issued on the 19th of September, 1853?—Yes.

4292. And a copy of this order went to Limerick?—Went to all the officers of Customs.

4293. Captain *Scobell.*] That order directs that the words "epidemic cholera" should not be erased?—Yes.

4294. The words "epidemic cholera" are erased in the printed paper?—This was done in mistake; this order of the 19th of September was to correct that.

4295. Does that order of the Privy Council mean that they may erase the words "epidemic cholera," and then insert something else?—No, it is in the order that it shall be retained.

4296. Are they not erased in that document?—They are erased there.

4297. Is that consistent with the order you have just handed in, that they should be erased?—This order contradicts that.

4298. Mr. *Hankey.*] No officer connected with your department in any way is authorised to detain a vessel, although she may have cholera or any other disease on board, of a most virulent form, amongst emigrants?—That is the case. If the disease is known to exist in the country, all quarantine is done away; the only quarantine in England, before the cholera appeared in any port, was to prevent an individual suffering with cholera from being landed in a healthy population.

4299. *Chairman.*] The officer says, that this bill of health has been "altered as noted in the enclosed specimen, in compliance with an order of the Lords of Her Majesty's Privy Council"; that is the only order?—Yes.

4300. Captain *Scobell.*] If cholera is on board a vessel, has the officer any right to give the ship a clean bill of health?—He gives a clean bill of health if the port where the vessel sails from is not infected; he certifies that the port is healthy.

4301. If the cholera is at a port can he give a clean bill of health?—No.

4302. Then she ought not to have been cleared?—Yes, cleared out, but with a foul bill of health.

4303. Sir *J. Anderson.*] Do you consider that a foul bill?—Yes.

4304. Is there any other form of a foul bill than that?—It is the declaration of the existence of cholera, that makes it a foul bill.

4305. Is that the only form of a foul bill that is issued?—Yes.

4306. *Chairman.*] You have distinctly stated that it is not an impediment to the clearing of a vessel, its having cholera?—Yes.

4307. Mr. *Peel.*] When you speak of vessels, you are not referring to passenger vessels?—Any vessels.

4308. Are you not aware of the provisions of the Passengers Act which prevents a passenger ship from being cleared, if there is an infectious or any other disease on board?—No, I am not.

4309. That will prevent a passenger vessel sailing with an infectious disease on board?—That must depend upon the instructions to emigrant officers at the sea ports.

4310. We are only concerned in inquiring into the arrangements made for the safety of emigrants, and we find according to this 41st section of the Act, that a passenger vessel cannot obtain a clearance if there is any infectious disease on board. All you can say is, that if there is any infectious disorder at the port, it will be specified in the bill of health?—In the port only.

*Richard Monckton Milnes*, Esq., a Member of the Committee; Examined.

*R. M. Milnes*, Esq. M.P.

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4311. *Chairman.*] You desire to put in a paper; will you please to state its nature?—The paper which I wish to put in is the opinion of Judge Kane, delivered in the District Court of the United States at Philadelphia. I do this, because I have alluded in a question to a former witness to the subject of this case; and it is one to which I think the attention of the Committee should be drawn, because it is no doubt most important in its effect as a precedent upon the point, of the liability of a master of a vessel for engagements which have been entered into by other persons besides himself, or his immediate agents. The Committee will observe in this case, but for the active and intelligent interposition of Mr. Consul Mathew, the most serious injury would have taken place with regard to a large body of emigrants, and it may be for the consideration of the Committee to see whether the law may not be so altered as to leave no doubt whatever upon this subject. The opinion is as follows:

THIS case came before me in a summary form a few days ago, and was then decided; but the principles it involved were so important, that I have thought it best to have a record of my adjudication.

The libellants, in number more than 100, had engaged with a certain Brennan, ship agent at Cork, in Ireland, for a passage to New York. Some of them had purchased tickets in the first instance to sail direct to that port; but the vessel in which it was proposed to carry them not being ready for sea as soon as was desirable, Brennan chartered, as it is said, the "between decks" of the "Wataga," a vessel then in port, and bound to Philadelphia; and gave to each of the libellants a certificate in the usual form, partly printed and partly written, by which he engaged that they should be carried to this city on board of her, with a written endorsement, that on her arrival here they would be forwarded to New York free of expense.

The libellants repaired on board the "Wataga," bearing these certificates; exhibited them to the mate, who was for the time in command, and afterwards to the master, who took possession of them before the vessel sailed, and retained them until required, by the terms of the libel, to produce them before this court.

On the arrival of the vessel at this port, it appears that the ship agent, Brennan, had no representative here, and neither the master nor the consignees of the ship recognised any obligation to receive or forward the passengers. On the contrary, from the time that she was fastened to the wharf, the master ceased to issue rations or provide fires for cooking; and the party to whom, it is said, the ship agent had written to act in his behalf, declined interfering, averring that he had never authorised Brennan to expect his aid. Two days after this the passengers were induced to leave the ship, and bring their baggage ashore, by the assurance that a steamer was waiting to convey them to New York. After carrying their chests, at their own expense, for a mile or more along the city wharves, they found that the steamer had gone without them. It does not indeed appear that any steamer or other means of conveyance had at this time even been engaged for them by the representatives of the ship agent or of the ship; but propositions to have the passengers carried forward had been made within an hour or two to the proprietors of the steamer, by persons who, disclaiming everything of legal obligation in the matter, protested that they were moved by charitable feelings alone; these propositions, moreover, being altogether conditional upon further notice, and never carried out into an engagement. The master, protesting a similar absence of liability, had sent after them a supply of food; but the steamer having set out before its arrival, it remained with the libellants. Men, women, and children crowed under an open shed on the pier from before noon until after the city lamps were lighted for the night.

Thus destitute, an appeal was made in their behalf to her British Majesty's consul, to the mayor of the city, and to several citizens; and by the charity of these, or some of them, the passengers obtained food and lodging. The next day this libel was filed, under the advice, as we have been given to understand, of Mr. Consul Mathew.

In considering the case, I threw out of my mind all reference to the asserted charter-party. It was altogether *res inter alios*, and formed no part of the contract with the libellants. I found, then, an agreement made with them by a person who announced himself publicly as a ship agent, and who was proved to have been in communication with the master of the ship; this agreement made with apparent authority from the master or his owners, since under it the passengers were received on board, and transported to Philadelphia; and the certificate or ticket which expressed its terms having passed into the master's possession before the vessel left her harbour of Cork, and retained by him ever since, without his controverting or disaffirming it in any respect or degree. I had no difficulty, upon this aspect of the facts, in considering these agreements as made with his concurrence, and therefore binding as the acts of the master.

I held also that this, being a contract for transportation to a place beyond sea, and for diet during the voyage, was a maritime contract, and that as such, according to the repeated adjudications and established practice of the courts in this and the adjoining district, it was a proper subject of the Admiralty jurisdiction. (*See* the "Aberfoyle" and the "Pacific," in the southern district of New York; and the "Achsah" and the "Creole," and other cases in this court.)

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The contract I treated as an integral one, the indorsement having as much effect as the part which was written or printed on the face; the parties, the consideration, the object, altogether one throughout; and inasmuch as it was not set out in any part of the instrument whether the distance between Philadelphia and New York was to be traversed by the same ship or by another, or by steamers, or on the open sea, or through a canal, or even by railroad, I held it to be only the closing stage of the transportation contracted for. As such, it was binding on the ship, not capable of being divided up into parcels involving distinct and limited obligations, but as one single integral liability.

Had even the certificate or ticket set out that the vehicle was not to continue the same, I should have likened the case, I said, to that of goods shipped to or from Bremen, which are for convenience carried by lighters, between Bremen and Bremerhaven, where, as we decided some months ago, the ship is bound for the safety and despatch of the subsidiary conveyance—to that of passengers, a familiar one some years ago, who engaged for the voyage from Europe to Wilmington, in Delaware, thence to be conveyed by steamer to Philadelphia; to the contract for passage from England *viâ* Halifax to New York, when the line of steamers was interrupted at the former port; and to the great variety of cases, familiar in the contracts of commercial men, where shipments are made for places not directly accessible to the ordinary class of sea-faring vessels; in all of which I suppose the ship to be bound for the delivery of the goods at the place mentioned in the bill of lading. In a word, I ascertained it to be the law that a contract, illegal in its terms, and to be performed principally on the ocean, could be enforced against the ship, although the alleged breach of its provisions occurred in port.

I think this may be fairly deduced from the adjudications I have already referred to in a neighbouring district. But unless I am mistaken, it may be traced back in principle to a period earlier than the Roman code. It was the *necessitas navigatium*, the exigencies of maritime commerce, precluding inquiry, for the most part, into the ownership of the vessel, or the authority of the master, which implied a liability as under contract from the simple acceptance of the goods on board for carriage.—*Dig. Bk.* 14, T. 1, *De exercitatoria Actione*, sect. 5. It is not till within the eighteenth century, that the books speak of this liability as restricted in amount to the value of the vessel and her freight; though, from some of the analogies which are traceable between it and the qualified liability of owners for the unauthorised acts of their servants, I do not doubt that the equity, which entered so largely into the administration of the Roman law, must have introduced the limitation practically, at an earlier day. The oldest compilations that have come to us of the customs of the sea, regard the goods as bound in the nature of a privilegium for their freight (*Judgments of Oleron, Art.* 34), and require that the goods, though landed at the port of destination, shall be protected there at the primary charge of the ship, until their delivery to the owner (*Art. Pardessus's Numeration*); and Cleirac (*Res et Coutumes*, 24 & 34), affirms that this privilegium is reciprocal between the ship and the cargo.

Now, it would be easy to show that the agreement in favour of the specific liability, as deducible from either the Digest, or the perhaps less ancient laws of the sea, applies with equal force and clearness to all the obligations which were contracted in the case before me. The Roman law held, that goods on their way in lighters from the ships in the place of delivery, retained their rights against the remaining interests for an average loss (*D. Bk.* 14. 1, 2. *Fr.* 4. *De Jactu*), and that goods when so transhipped still remained at the risk of the vessel (*D. Bk.* 19, T. 2, *Fr.* 13, sect. 1, *Locat. Conduct.*). The articles I have referred to from the *Judgments of Oleron* (*Arts.* 24 *and* 34), show a continuing liability, even after the voyage has been terminated and the goods have been landed. The import of them both, and of many other provisions that are found in the books is merely this: that the shipper, when he places his goods in a vessel under a contract for transportation, is not to be embarrassed by questions of ownership, or authority, or purposes of which he knows nothing. He trusts what he sees. If even the person who receives them on board was not constituted by the owner of the ship; if even the master's orders from his owners were that he should admit no substitute in his place; nay, even if they prohibited specially the substitution of that particular person, who was found acting on board; the rights of the innocent shippers without notice were held not to be affected.—*De Exercit. act. loc. citat.* The reason of it all is found in the policy of facilitating maritime commerce "(*producendum utilitatem navigantium*)."

The reason then applies to all contracts of transportation, and to all portions of such contracts, whether made or sanctioned by the master, as it might be reasonably supposed that he was authorised to enter into in the ship's behalf, not merely to such as were to be executed on board the ships; for we have seen that the Roman law extends the principle to the case of goods in lighters, and of goods landed, but not delivered; and so did the laws of Oleron. The question narrows itself down to this: was the particular contract which claims as incidental to it a hypothecation of the vessel, such as might be reasonably regarded to be without the authority of the party professing to make it?

Now, as the hypothecation, in the ordinary case of affreightment, is the one most frequently and familiarly noticed in the books, and as its incidents, so far as regards the ships, are the same as those of the passenger contract, I will consider for the moment that the case before me was one of the ordinary sort for the carriage of goods.

Suppose then a contract, such as is disclosed in the facts before me, but for the carriage of goods—goods to be transported by ships from Cork to Philadelphia, and thence forwarded to New York—a gross freight reserved for the entire service. In such a case, it is plain that the freight would be payable only at New York, not susceptible of *pro*

*R. M. Milnes*, Esq. M. P.

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*ratâ* apportionment at the will of the carrier. It must be the same with the privilegium, or security for its payment. We cannot apprehend such a thing as a security for an accruing debt, only incapable of enforcement at once because the liability has not yet been fully matured, which must necessarily be invalidated and become null by consummation of the liability. The implied liability of the goods to the ship must subsist therefore in the case I have supposed till the entire contract has been perfected; that is to say, till the goods reach New York and the freight is paid for the entire carriage.

But the lien of the ship and goods being mutual and reciprocal, why should not the hypothecation of the ship to the goods be equally enduring with that of the goods to the ship? Where is the principle, or the statute, or the case, that, professing to recognise mutual and reciprocal securities, between two parties to a contract, divides the liability of one party into segments, and attaches the security to one of those segments only; yet leaves the other's liabilities integral, and its security integral also?

And if this argument would dispose of the question, supposing it to be one of the ordinary affreightment of goods, we must rescind all our adjudications on passenger contracts, and disregard those made in other districts, or we must hold the same law applicable to passenger contracts, and the "Wataga," therefore, liable for the entire performance of her contract.

Passing from this discussion, into which I could scarcely enter the other day, to the question of damages, I observed that the Admiralty is not the appropriate forum of vindictive justice. Our object here is rarely to do more than indemnify the party who has been aggrieved; this we have heretofore sought to do in the case of the "Creole" and others, where the breach complained of presented no aggravating circumstances, by treating the passenger contract as rescinded, and allowing each passenger to receive back the amount he had paid, with a moderate allowance in addition for his necessary expenses while awaiting redress from this Court.

I made my decree accordingly, directing the Commissioner to ascertain its amount. I will take care so to mould the further proceedings in the case as to reimburse Her Britannic Majesty's consul, and any others who have charitably intervened in behalf of these destitute emigrants, such sums as they have actually expended for their protection and support.

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*Jovis*, 18° *die Maii*, 1854.

MEMBERS PRESENT.

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| Mr. John O'Connell. | Mr. V. Smith. |
| Mr. Peel. | Mr. Hankey. |
| Captain Scobell. | Sir James Anderson. |
| Mr. Fagan. | Mr. Liddell. |
| Sir T. Herbert. | Mr. Hamilton. |
| Mr. M. Milnes. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *John Duross*, called in; and Examined.

*Mr. J. Duross.*

18 May 1854.

4312. *Chairman.*] WHAT are you?—A Constable in the City of Cork Constabulary.

4313. How long have you been in that post as constable?—Since 1849.

4314. You have seen a good deal of the emigration that has proceeded from that port?—Nearly the whole of it.

4315. Mr. *Fagan.*] How many years have you been employed in connexion with emigration?—Five years.

4316. Mr. *Peel.*] In what capacity?—To keep order, and to see that there should be no fraud practised on them, as far as I was able.

4317. *Chairman.*] That is the emigration for Australia and America?—Yes; and *viâ* Liverpool for America and Australia.

4318. Your duty is, then, to attend on the quays at the time of the departure of the steamers which take these passengers?—Yes.

4319. Those steamers take the passengers to emigrant ships in the port of Liverpool?—Yes.

4320. To

4320. To any other ports?—Sometimes they take a good many emigrants to Plymouth and London.

4321. In what manner were those emigrants conveyed?—On the deck of steamers.

4322. Were there many cases in which they were under shelter?—I have not known any; I do not know a boat which has shelter for the passengers on deck.

4323. Mr. *Peel.*] Are you speaking now of Government vessels to Plymouth?—They are not Government vessels; they are the company's vessels.

4324. Are you speaking of the Government emigrants as well, who go to Plymouth?—There was a portion of the second deck cleared, on which the Government emigrants were put under cover. That was on the London steamer, which goes direct from Cork to London, calling at Plymouth, and the passengers are landed at Plymouth when the Government vessels lie there.

4325. On board those vessels the passengers were under cover?—Yes.

4326. *Chairman.*] The Government emigrants were under cover in the steamers?—Yes; a portion of the second deck was kept apart for the emigrants.

4327. Those were what are called the Government emigrants?—Yes, the free emigrants; those that get out for 1*l.*

4328. In the Government ships?—Yes.

4329. Are the emigrants who go out in the private steam-ships under cover?—There is no cover unless as stated.

4330. The passage to London from Cork is two or three days?—Three days.

4331. How long is the passage from Cork to Liverpool?—From 22 ½ to 36 hours, according to the weather.

4332. During all which time, of course, those emigrants on the upper deck would be exposed to the weather without cover?—Yes, with the exception of a tarpawling, which they have in very stormy weather thrown over; but that does not save the emigrants from the storm; it keeps the tremendous blast off some of them, but it is impossible to cover them all, as there are as many as from 500 to 700 that go in one of these steamers.

4333. Mr. *Peel.*] What number of emigrants go to London without any shelter?—A very great number of those are Irish coming over to work in London; there are a great number of them who are not emigrants going to Australia or America.

4334. What number of emigrants for the colonies or the States left Cork for London, not being Government emigrants, and not being provided with shelter?—I do not know of any.

4335. *Chairman.*] Of course they go chiefly by Liverpool?—Yes.

4336. What proportion have gone by Liverpool, exposed in this way, in the last six months?—I am confident it has averaged 400 or 500 a week for the last 12 months.

4337. Mr. *Peel.*] Does that include Government emigrants from Liverpool?—No.

4338. Exclusive of Government emigrants?—Yes.

4339. What do you suppose is the number, inclusive of Government emigrants?—I could not well say.

4340. You keep no numerical list of the passengers?—No, but I could have had it, as there is a man under me, who keeps the names and ages of all the passengers; a continuation of the census of 1851.

4341. *Chairman.*] What proportion of that 400 or 500 a week are under cover on the deck below?—None, unless cabin passengers, or who may take a sailor's berth.

4342. Therefore they are not Government emigrants?—They are not; they are emigrants leaving the country going to America.

4343. They have no shelter whatever but this tarpawling of which you have spoken?—No.

4344. Mr. *Peel.*] Your are not speaking of direct emigration from Cork to the States?—No, I am speaking of emigration *viâ* Liverpool; the emigration brokers pay 10*s.* for each adult passenger, and 5*s.* for each child under 14; they are put on board by the broker in Cork, transhipped at Liverpool, and reshipped direct to America.

4345. *Chairman.*] Have you ever heard that these emigrants, huddled together

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on the deck of a steamer in this way, going to Liverpool, in bad weather are received into the deck cabin, or anywhere else, and if so, are they received without payment?—I know that there is no accommodation between decks for them, as it is completely filled on each voyage with the passengers' baggage and cargo.

4346. Mr. *Fagan.*] Have you gone over with them?—I have; I have been to Liverpool two or three times.

4347. *Chairman.*] At the time when they have been carrying deck loads of these emigrants?—Yes, once.

4348. You have seen their state?—I have.

4349. Was it bad weather at the time?—No, the weather was fine.

4350. How did you find their accommodation on deck?—I thought they appeared to be very poorly off from cold.

4351. From being so many hours on the deck?—Yes.

4352. Capt. *Scobell.*] Did you get shelter yourself?—I went as cabin passenger.

4353. *Chairman.*] Was there cattle on board at the same time?—No; unless a horse occasionally to Liverpool, by the Liverpool boats.

4354. Mr. *Fagan.*] How often in the week do these steamers go with these emigrants?—Twice; Wednesdays and Saturdays.

4355. *Chairman.*] Are the steamers otherwise deeply laden?—They are; they have a general cargo of merchandise to and from Cork.

4356. And therefore likely to expose their decks by labouring in bad weather?—Yes, the deck is exposed.

4357. Mr. *Fagan.*] What is the usual number of emigrants on deck that those steamers take?—According to their tonnage.

4358. What is the usual number?—I think there are some of the Cork steamers which can take 670 passengers.

4359. What is the largest number of emigrants that you have known to be carried in one voyage?—I have known 800 adults to go to Liverpool prior to this enactment of so many to each ton, and in those 800 adults was taken into account two children for each adult, so that there might have been 1,200 on board.

4360. Have you known that prior to the enactment which now limits the number taken by steamers?—Yes.

4361. Who sees that that number is not exceeded?—There are Government officers, I believe, employed in Liverpool to see that the ships do not exceed their complement of passengers.

4362. Does the emigration officer in Cork visit those steamers?—Not the Liverpool steamers.

4363. *Chairman.*] Have you known cases of emigrants returning from Liverpool on board those steamers who did not take their passage?—Yes, I have known emigrants to return from sickness or want of funds to bring on to America.

4364. Mr. *Peel.*] Have any accidents ever happened to those steamers from Cork to Liverpool?—No, not any that I recollect.

4365. Have any deaths occurred on board of them?—Yes, there was a death some time since, but the man was returning from America. He came for the benefit of his health, and he died on the passage from Liverpool to Cork.

4366. I am speaking of emigration from Cork to Liverpool, on to the United States?—I do not know of any.

4367. Has no instance of a death occurred on board these steamers, to your knowledge?—Not to my knowledge.

4368. Mr. *Fagan.*] Do you know of any of these steamers being fitted up to accommodate the emigrants between decks?—Yes, the Belfast Steam Company's ship "Telegraph," running in opposition to the Cork Steam Ship Company from Cork to Liverpool, had that accommodation.

4369. For a short time?—About three weeks.

4370. *Chairman.*] Two years ago?—This present year; not more than five months ago.

4371. Mr. *Peel.*] Was their competition a successful one during the time that it lasted?—It was not; I believe that the Cork Steam Ship Company made some arrangement with the Belfast Company, or Belfast Company with the Cork Company.

4372. Do the Irish emigrants prefer being on deck to having accommodation below?—No.

4373. Mr. *Fagan.*] During the period that the "Telegraph" was running, did the emigrants give the preference to the "Telegraph"?—I believe the reason why they did not do so was, that the emigrant brokers were afraid that there would be a rise in the passage money; and that was the cause of their not going in the "Telegraph."

4374. Captain *Scobell.*] You spoke of 500 going over, or thereabouts; do you mean from Cork?—By steamers; that does not include the sailing vessels.

4375. Do you live at Cork?—I am stationed there.

4376. Do any of the emigrants that go from Cork, and go abroad afterwards, go to Bristol to ship?—I have known cases where they have been sent to Bristol; when they could not make up the complement to fill the ship in Bristol, they have engaged the passenger brokers in Cork to send over a few to them.

4377. You have spoken of the passengers not being able to get below; was you ever out in bad weather with them?—No.

4378. Were any of them sea-sick?—I have seen them sea-sick, and very sick.

4379. How many passages have you made in that way?—I have been twice to Liverpool.

4380. Notwithstanding it was fine weather, you saw them suffering?—Yes, they did suffer a great deal.

4381. Sir *T. Herbert.*] Is there any limit to the number of emigrants which those Cork steamers take which go to Liverpool?—Yes.

4382. Mr. *Peel.*] How many of those steamers leave per week for Liverpool?—They leave on Wednesday and Saturday.

4383. How many per week?—Two.

4384. What is the average number of passengers they carry?—I think they could take 1,200 or 1,300.

4385. How many do they take?—Between 400 and 500 a week the whole year round. I am nearly positive of that.

4386. Would not the inference be that the average emigration from Cork to Liverpool would be 1,000 a week?—I did not mean to say that the average number by each steamer boat was 400 or 500; I included the two in that 400 or 500.

4387. What is the average number on board each steamer?—I should say 250, the year round.

4388. What is the tonnage of the steamers?—I think 800 tons.

4389. Captain *Scobell.*] In what way would you propose to cover them; have you ever turned your attention to that subject, from having seen this body of persons on deck?—There is no way or means of covering the passengers, except they get between decks. A tarpawling is not sufficient to preserve them from the storm.

4390. When you were taking your passage, what was between decks; what filled up the between decks besides the luggage?—The passengers' cargo and their luggage, and the trading cargo.

4391. Was no room left for the women and children if they liked to go below?—No.

4392. None at all?—No.

4393. Were they not allowed to go; were they prohibited, or was there no room?—I will not say they were prohibited, but I know there was no room, and I believe they had no accommodation for them.

4394. You believe, you say; are you sure they had no accommodation for children or sick persons, or for anything extraordinary?—There is no accommodation for any passengers between decks.

4395. Were the 500 which you consider go weekly all for foreign emigration, and none of them seeking work in England?—Principally for America.

4396. Principally?—The whole for America.

4397. And some for Australia?—Very few go from Cork to Australia direct.

4398. Mr. *Peel.*] Do you state that the tonnage of these vessels is 800 tons?—Yes.

4399. And on the average they do not carry more than 250 passengers a week?—I think the tonnage is 800 tons, and 450-horse power, and on an average each vessel carries 250 per week.

4400. *Chairman.*] You said just now that there was besides a passage in sailing vessels of emigrants from Cork to Liverpool?—From Cork to America; what are called the direct ships.

4401. Do many of them go from Cork?—There are a great many going; I think

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I think there are at least seven or eight this season from Queenstown, where the vessels are cleared out.

4402. Can you state the average proportion of persons per month that go with them from Cork?—I think the number this season is seven or eight ships, and they vary from 72 passengers up to 300.

4403. Mr. *Peel.*] What length of time is included in what you call the season?—Since the 1st of March.

4404. *Chairman.*] Do any go in winter time?—To Liverpool they do, but not by the direct ships from Cork to America.

4405. But they go to Liverpool to take shipping during the winter months?—They do, but they engage their passage at Cork.

4406. Have you seen the accommodation for the emigrants on board these vessels that go direct from Cork?—I have.

4407. Are you aware what the Passengers' Act requires for their comfort and lodgment?—Yes.

4408. Are you aware that there is a provision in the Act for the separation of the sexes?—Yes.

4409. Did you see anything that appeared to you to be intended to meet that provision in the Act; did you see any arrangement below?—Yes.

4010. What was the arrangement?—I have seen a compartment cut in the fore and aft part of the ship, one for the single men and one for the single women, and the married people in the centre.

4411. Mr. *Peel.*] Is that in accordance with or in excess of the provisions of the Act?—In accordance with the Act of Parliament; and those ships are inspected by the emigration officer, and he sees that its provisions are carried out.

4412. *Chairman.*] How is the communication cut off?—By upright boards; they may be a quarter of an inch thick, or one inch.

4413. In fact, what is called a bulkhead?—Yes.

4414. It goes across the ship?—Yes, and a door in it; there is an entrance the whole length of the ship.

4415. Is that bulkhead solid planking, or are there holes cut in the planking?—It is planking.

4416. Can people see each other through it?—Yes.

4417. Is it covered?—No, it is not; the planks are a quarter of an inch thick, or inch thick. Those direct ships are not the same class of ships that go from Liverpool.

4418. Mr. *Fagan.*] Are they a better class?—They are as good a class, but they are not fitted up for passengers; they are not constantly in the passenger trade. When a ship is chartered, the emigration agent sees that these boards are set up according to the Act of Parliament; they are under the immediate control of the emigration officer.

4419. *Chairman.*] Are those ships that have brought home timber?—Yes.

4420. Mr. *Peel.*] From where?—North British America, and the timber is cut very thin. There is space enough between each board to see through.

4421. Mr. *Fagan.*] That is, from the unmarried men's compartment to the married men's?—Yes.

4422. You can see through?—Yes; and then, in the married portion of the ship, between the berths, there is a board, or the depth of a board. I think that should be filled up to within a foot of the deck from the edge of the berth. It merely just separates the two beds; you can put your hand across from one bed to the other.

4423. What is the height?—About six inches between one bed and the other.

4424. In the married people's berths?—Yes; you could roll out of one bed into the other.

4425. *Chairman.*] Did the berths appear to be 18 inches wide?—They were; I have seen them measured by the Government agent.

4426. Are they strongly constructed?—Substantially enough.

4427. Did you see anything with respect to the hospital accommodation in case of sickness; is there a part of the vessel marked off for that?—There is; I have seen the Government agent inspect it.

4428. Who is the Government agent?—Captain De Courcy; Captain Friend was the agent, but he left within the last two months.

4429. Captain *Scobell.*] In what you have observed as to the accommodation in these vessels, has it been merely from curiosity, or has it ever been your duty to examine them?—The police have no interference at all with emigrant ships.

4430. Mr. *Peel.*] Has it occurred to you that any improvement can be made in the fittings or the arrangements of the ships?—I think there could; I think that would be a necessary improvement, to have a high partition between the berths, so high as not to allow an escape from one berth to the other of the married people.

4431. Do you think that that would not interfere with the ventilation?—I think not.

4432. Captain *Scobell.*] You would not have it all the way up to the deck?—No; for ventilation I would allow a foot or a foot and a half, so that when they are lying down they could not reach over to each other.

4433. Mr. *Peel.*] What is the space between the adjoining berths?—A single board.

4434. Captain *Scobell.*] How many bed places that are only divided by a single board, which would be in a line, have you ever seen?—I think there might be 30; it is all owing to the length of the ship.

4435. They are all fore and aft?—No; they are across the beam.

4436. How many have you seen across the vessel side by side in this way?—I could not say; I think there might be 30; it is all owing to the length of the ship.

4437. Mr. *Fagan.*] Is there a passage between the compartments?—There is not; the beds are made from the end.

4438. Sir *T. Herbert.*] Are these berths put fore and aft?—No, the berths are across the beam; in some of the Liverpool ships they are not so.

4439. You are confining yourself to what you saw at Cork?—Yes.

4440. In those vessels the berths are across the vessel?—They are according to space.

4441. And not fore and aft?—No.

4442. And in one of those vessels you have seen 30 berths close together?—I think about 30; it is all owing to the length of the ship; there are so many inches given to each passenger.

4443. Mr. *Fagan.*] Have you seen the vessels fitted up in Liverpool?—I have.

4444. Are they fitted up differently to the vessels you have seen in Cork?—Something on the same scale, but they are permanent; they are for the passenger trade solely.

4445. Are the emigrants side by side in the way you have described them in the Cork vessels?—In some of the ships they are.

4446. *Chairman.*] Is there any other matter, previous to speaking about the water-closets, which you would suggest?—I would suggest that the passengers should not be allowed to bring small casks of water down. The passengers are allowed so much water daily, and they bring that down, and lay it at the foot of the berths, in small casks which they purchase, which are not water-tight; the water comes out and wets the berths.

4447. Mr. *Fagan.*] Are there any other improvements that you would suggest in the fitting out of emigrant vessels with regard to the separation of the sexes?—I would suggest that there should be no entrance from the male part to the married, nor from the females to the married, so that they should be separate.

4448. *Chairman.*] Where are the water-closets on board those vessels?—They are generally on the deck of the ship, and they are exposed, so that it is rather indelicate for a female to go into one of those water-closets.

4449. You say generally; have you seen cases where they were not?—No, I have never seen a case where they were not.

4450. Are they in the bows of the vessel?—Generally in the bows.

4451. And females are exposed going to them?—They are.

4452. They shut with a door?—They do.

4453. Do they appear so constructed as to stand the beating of the sea for any time?—Some do more than others; I think the greater part of them are not sufficiently strong to undergo the danger of the sea.

4454. Do you see any of them aft the vessel, on deck?—No.

4455. Are they all forward in the bows?—Yes, all forward in the fore part of the ship.

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4456. And in no case between decks?—I never saw them.

4457. Did you ever hear complaints amongst the emigrants themselves on that subject?—I do not recollect that I have.

4458. Have you been talking to returned emigrants, those who lost their passages at Liverpool?—Frequently; I have had to bring them before the magistrates for protection.

4459. What did they chiefly complain of?—There have been general complaints; some say that the master has not a proper control over the crew, and others, that the cook does not give them proper treatment; when they go to him to get their food cooked, that he sometimes strikes them; there was one boy came into Cork wrecked in a ship called the "Break of Day."

4460. Was that an American vessel?—She was bound from Liverpool for Boston.

4461. When was that?—She came in this day fortnight.

4462. Mr. *Fagan.*] How many emigrants were there on board?—Nine hundred and twelve.

4463. *Chairman.*] Was there not another ship put in with German emigrants called the "Bogart"?—Yes, the "G. L. Bogart."

4464. Was there not another ship within the last fortnight?—There were three.

4465. What is the name of the third?—I do not recollect.

4466. Had she Irish or German emigrants?—They were mixed.

4467. Mr. *Peel.*] Did the emigrants on board the "Bogart" complain?—No; but one of the emigrants in the "Break of Day" did; there was a cut on his head, and he said it was the mark of a poker.

4468. Was there any reason to complain of the "Bogart" for putting into port?—No; it was stress of weather which caused them to put in; she carried away her topmasts.

4469. Is there a general impression in Cork that the emigrants are insufficiently taken care of on board emigrant vessels under the present law?—There is a general impression that the emigrants are defrauded from the date they start from their homes until they are at sea.

4470. If robbery takes place prior to their embarkation, in the case of the direct emigration, the robbery must take place in Ireland?—And in Liverpool.

4471. The question referred to the direct emigration?—In direct emigration they are equally defrauded.

4472. Before they go on board?—Yes.

4473. That is in Ireland?—Yes.

4474. Mr. *Fagan.*] Are there runners there?—Yes; they fall in with the emigrant as soon as he comes to town, and the runner brings him to the emigration broker; and the emigration broker generally gives from 1 *s.* to 2 *s.* for each passenger brought to him. The runner then brings him to the grocer, where he gets from 1 *s.* 8 *d.* to 3 *s.* in the pound, according to whatever purchases the emigrant makes; then to the fish store, then to the bacon store, and the bakery.

4475. Mr. *Peel.*] Is this the system now in force in Cork?—It is.

4476. And in no degree abated since the passing of the present Act?—Very lately it has greatly been put a stop to. I have brought the grocers and the runners before the magistrates; but the magistrates had no jurisdiction by which they could punish the runners or the grocers for making up fraudulent packages for the emigrants, and charging enormous prices for them.

4477. Still you say the system has been put an end to?—It has, through fear of being exposed; because when I have brought these parties before the magistrates, I have made a statement disclosing the whole secret how they have been defrauded, and this went abroad in the newspapers, and was put a stop to in a great measure.

4478. Are any further measures required in aid of the steps already taken for the purpose of putting a stop to this?—I think there will never be a final stop put to it. There is a section of the Act which authorises the runners to have their licences signed by the Government agent of the port; and my opinion is, that that licence should not be granted by the Government agent generally to the runner, unless he has a certificate of good conduct from two or three householders and two magistrates, and from the magistrates to the emigration officer.

4479. Mr. *Fagan.*] Would you not obviate that, if you improved the dietary that was given by the charterer of the vessel, which would render it unnecessary for

for the emigrant to take any provisions for himself at all?—If the passengers were allowed an extra scale of allowance to that which they have at present, it would be much better for them, and then they would not be exposed to have these frauds practised on them by the runners, and the different parties they go to; they would not have to purchase these things.

4480. What is it they do purchase?—I think 15 *s.* extra would find them with those necessaries, groceries and extra things which they want; at all events 1 *l.* would.

4481. Mr. *Peel.*] Do they themselves consider that the Parliamentary scale of provisions is insufficient?—Yes.

4482. They think it necessary to buy these articles; the tea, grocery, and so on?—Essentially necessary; they would not have enough of food in the Parliamentary scale of dietary for emigrants going to America.

4483. Where, then, is the grievance they suffer in being taken to different shops?—They get bad provisions, and the shopkeepers charge an exorbitant price; they are charged that price in order that the runners may get the benefit out of them from the grocer, baker, and so on; and those runners have certain places to take them to; the respectable dealers would not have anything to do with them; the runner knows where to take them.

4484. Captain *Scobell.*] You propose that the dietary scale should be sufficiently good, even at an extra charge of 15 *s.* or 1 *l.* each passenger, in order that there may be no necessity to provide these things for themselves?—Yes; it is not alone the fraud that is practised on them, but these poor people are out at sea, and get sick, and instead of having some good nourishment when they expect to have it, they find they have some deleterious stuff which only adds to their sickness; that is my opinion of it.

4485. Mr. *Peel.*] Do the owners of any of these vessels offer a more liberal scale of provisions than is required by the Act in their contracts or advertisements?—I have never known of any; there is nothing offered; and if there was, I am confident there would not be more given than the Act specifies.

4486. Captain *Scobell.*] Have you ever seen one of the tickets which they give to the passengers when they agree with them?—Yes; the printed ticket is in conformity with the Act.

4487. But there is a *nota bene* that the passenger must take something for himself?—Yes; the agents always tell them that on their engaging a passage.

4488. At the foot of this ticket the following words stand: "Passengers should not rely on the provisions which the master of the ship is bound to issue to them, but should take an extra supply with them"?—Yes; and when the passengers are about engaging, the agents will tell them that they will not have a sufficiency of food, and tells them what is necessary to purchase.

4489. And that ticket tells them so?—Yes; but he even tells them verbally, and says to them, "You had better get so and so;" and they ask what is necessary.

4490. You infer from that that the dietary by law is not sufficient?—It is not.

4491. And the passengers draw that conclusion from what they are informed, and from what is put at the foot of their agreement?—They do.

4492. Mr. *Fagan.*] Can you state what they generally do purchase?—Each passenger purchases a stone of biscuit, seven pounds of fish, and a few pounds of bacon, if he has the means, or some sort of meat, a pound or two of coffee, and half a pound of tea, and a quarter or half a stone of sugar. They then have to purchase tins for the voyage, a saucepan, and other matters which they want for their cooking apparatus, and they are equally charged extra for those; for the runner gets something out of every shilling which he gets the emigrant to lay out.

4493. Have you heard that that is sufficient, with the Parliamentary dietary, to sustain them during the voyage?—It is, and more than sufficient if they get it good.

4494. Are not the provisions now issued to them in a cooked state?—No.

4495. They take these cooking utensils for the purpose of cooking their own provisions?—Whatever they want to be cooked they put in one of these tins, and there is a railing outside the place appointed for the cooking apparatus, and

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they hand in the tins, with whatever they want cooked in the tins to the cook, to have boiled.

4496. Are you now speaking of the extra supply which they bring on board?—I am speaking generally of the food provided by the ship and their own.

4497. Does not the Act require that the provisions should be issued in a cooked state?—Only a portion of them.

4498. All that requires cooking?—All that requires cooking is given to them in a cooked state; the other is not. For instance, so much oatmeal; that is handed to them in an uncooked state.

4499. Is it that this dietary is absolutely in itself insufficient, or that some of the articles are unpalatable to Irish emigrants and rejected by them?—That scale is not rejected by the emigrants; what provisions they can get under the Act they get good, but they are insufficient.

4500. *Chairman.*] Have you heard any returned emigrants complain of it as insufficient?—Insufficient in complement, not in quality.

4501. Mr. *Peel.*] Is the quantity for the whole voyage insufficient, or the weekly issue?—The weekly issue is insufficient.

4502. Have you known any instance in which the supply has run short on the voyage to America?—No, not where what is ordered by the Act has been given, unless they have been shipwrecked and knocked about for a great length of time. The whole thing is entirely too little for an emigrant; what is allowed for an adult is not sufficient for a child six years old in its health.

4503. Captain *Scobell.*] What you mean is, that the weekly allowance is not sufficient, not that the vessel does not carry enough?—Not sufficient. The vessel brings so many sacks of flour and rice, and that sort of thing, as is directed by the Act of Parliament, so as to afford each passenger a weekly allowance, but that weekly allowance is not at all sufficient for them; they require this additional stone of biscuit, and this tea and sugar, to make it sufficient for the voyage.

4504. Are you aware that in that Parliamentary scale there is no meat whatever allowed in the first dietary?—There is not.

4505. Do you not think that some meat should be allowed?—I think twice a week would be little enough to give three quarters of a pound of meat to each passenger.

4506. *Chairman.*] Do you say that with reference to the passengers accustomed to the potato?—Yes, I do; they suffer so much from sea-sickness, that they require some nourishment, even if they are not used to it, prior to their starting.

4507. Captain *Scobell.*] No potatoes are allowed in the dietary before you?—No.

4508. Would it not be advisable that some potatoes should be allowed, particularly to the Irish people?—At the time of the passing of the Act the potatoes had failed.

4509. But now, when potatoes are to be got, is it desirable that potatoes should be part of the dietary?—I think, if it were, that the emigrants would supply themselves with the potatoes.

4510. Did you not recommend that the dietary should be of such a quantity that they should not supply themselves?—If they thought fit to bring potatoes with them, the emigrants could provide themselves much cheaper with potatoes than what they could be supplied at in these towns, such as Liverpool, Cork, Limerick, Galway, or any other place.

4511. Did you not say they were greatly imposed upon in purchasing things?—They have these at home.

4512. They come a great distance to Cork?—Yes, but the conveyances are good; we have trains which come in every day.

4513. Mr. *Peel.*] Is it not under the Act optional for the master to substitute potatoes for some of the articles in the dietary scale?—Yes; 5 lbs. of good potatoes or a half pound of beef or pork.

4514. Does he ever avail himself of that option?—Not now; sufficient potatoes are not to be had for them.

4515. Captain *Scobell.*] Did you ever know that second dietary scale adopted in a ship instead of the first dietary scale?—No, I have not.

4516. *Chairman.*] You have not gone to America?—No.

4517. Mr. *Fagan.*] Is that the scale for an adult?—Yes. I would also recommend to the Committee that children under 14 years of age should be allowed an extra scale to that which they are at present allowed. Two children under 14 years of age are only allowed the same as one adult. A child of 15 years of age is allowed the same provisions as an adult, though a child of 13½ years of age is not.

4518. Do you mean to say that a child of 13 years of age only gets half that dietary?—Yes.

4519. You consider a child of 13 years of age would require more than allowed by that dietary?—He would require as much as the adult persons on board, and sometimes, I believe, they require more.

4520. *Chairman.*] Did you see how the water was on board, whether it was in casks or in tanks?—It was in casks in the hold.

4521. Have you seen it in tanks?—I have not.

4522. Have you ever had any opportunity of seeing whether the casks were sound or good?—Yes; I have seen the casks exposed on the quay, and filled with water to make them staunch, that is the large casks.

4523. The emigration officer of course looks to that?—He does.

4524. You did not see water in tanks?—No, I did not.

4525. Have you heard of any failure of the water in those passages?—Not to my recollection.

4526. With regard to those vessels which lately put into Queenstown, the "Bogart," the "Break of Day," and the third, the name of which you do not recollect, were not the passengers of the "Bogart" sent back to Liverpool to be re-shipped?—They were.

4527. On the deck of a steamer?—Yes.

4528. In what number?—Seven hundred; they were sent on Wednesday last in the "Nimrod" steamer.

4529. What tonnage is she?—I think she is 800 tons.

4530. There were 700 deck passengers?—Yes, I think so; I am not sure of the tonnage.

4531. She is not 1,000 tons?—No, I think 800 tons and 450-horse power.

4532. What kind of weather was it when these poor creatures were sent on board of the "Nimrod"?—Just as she was going from the quay it commenced raining very heavily, and it rained from then until I went to bed at 11 o'clock.

4533. Had she a cargo on board?—She had a great deal of luggage; she had extra things, and a general cargo from Cork.

4534. She had extra luggage besides those 700 passengers?—Yes.

4535. Did they seem to be in distress?—They seemed to be very much worse from what they had suffered; they were principally Germans.

4536. Mr. *Fagan.*] What time was she at sea before she put into Cork?—To the best of my recollection, I think three weeks.

4537. *Chairman.*] Did you notice how many hands there were on board the "Bogart"?—I do not know, but the Act requires that there should be a certain number. I am sure she did not go short of hands.

4538. Are you aware that there were only 30 hands on board of her?—I am not.

4539. Do you know her tonnage?—I do not.

4540. Mr. *Fagan.*] Do you know what ballast she had?—No.

4541. *Chairman.*] What cargo had she?—I do not know, but there have come emigrant ships into the port having iron on board; in some cases the vessel has come in a strained state and leaky, and the iron has had to be taken out of the ship, and the passengers landed, until the ship was repaired and ready to put to sea again.

4542. The "Bogart" was a large vessel?—She was.

4543. A very large vessel?—Not near so large as the "Break of Day."

4544. Do you know the tonnage of the "Break of Day"?—Not precisely, but it was nearly 3,000 tons; she is one of the largest vessels afloat.

4545. You did not hear that the "Bogart" was nearly 2,000 tons?—I think it was 1,800 tons; I have seen one of the bills.

4546. Were you on board of her?—No, I was not.

4547. Were you on board the "Break of Day"?—No, I was not, but I had to provide the passengers of the "Break of Day," at three o'clock in the morning,

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with lodgings. The passengers were landed from the "President" and the "Dreadnought," two tug steamers from Liverpool, by Penrose & Anderson's company, from Cork. The agent, Mr. Pickering, in Cork, Trains & Co., agent, called me up and said he could not find lodgings or places to put those passengers into, and unless I got up and did so he would be very badly off. I got up and went about it as well as I was able till seven or eight o'clock. To some of those passengers he had to pay 1*l.*, and to some 30*s.*; that was for detention money. He behaved very kindly indeed to them; 1*s.* a day is not sufficient for an emigrant or passenger re-landed, for they have to provide themselves with everything, unless they have some little store of provisions which they have purchased themselves.

4548. Mr. *Fagan.*] What should you say would be sufficient for them?—I think 1*s.* 6*d.* little enough for a passenger re-landed; when re-landed in a city, 4*d.* a day is as little as they can get a bed for.

4549. Do you think if there were a depôt, not only for those casual parties who come in this manner, but a general emigration depôt in the city of Cork, that it would be an improvement?—I think a depôt under a good management would be a great boon to passengers.

4550. Were you connected with Besnard's Emigration Depôt?—I was not.

4551. Did you observe how the emigrants were treated in that depôt?—They must have been treated well, for if they were not I should have had to bring the matter before the magistrates.

4552. What cargo had the "Break of Day" on board?—I do not know.

4553. Captain *Scobell.*] Was she an American vessel?—She was bound to Boston.

4554. Was she an American ship, or an English ship?—She was a Boston ship.

4555. *Chairman.*] Was there sickness among these emigrants?—None, excepting three deaths of children from measles, and one of the sailors was struck with a spar and killed, and the captain jumped overboard when they were making land, coming into the harbour.

4556. Had these vessels doctors on board?—I know that the "Break of Day" had, but I do not know whether the "Bogart" had; she must have had, from the number of passengers she had on board, because the Act requires it.

4557. Do you know whether there was hospital accommodation on board?—Yes, I believe there was.

4558. Mr. *Peel.*] Did you go over both ships?—I did not. I believe there was a hospital; for one of the passengers, a woman from Limerick, came to me with a certificate from the doctor, and I brought her before the magistrates; she stated she was very ill, and required her passage money back, and the doctor certified that she was not fit to go in a ship for some weeks.

4559. *Chairman.*] Did you say 600 or 700 of the "Bogart's" emigrants went in the "Nimrod" in one passage?—I think there were 700 on board; they were principally German.

4560. Captain *Scobell.*] You stated that they were obliged to find cooking utensils?—Yes, such as tins to boil meat or potatoes in.

4561. Who finds them the things for eating or drinking out of?—They find themselves.

4562. Who finds the bedding?—The passengers; the passengers have to provide themselves with everything but firing, and the scale of provisions that is laid down in the Act of Parliament.

4563. Mr. *Fagan.*] Is the amount of the passage money increased; is it higher now than it formerly was?—It has got up from 3 *l.* 10*s.* to 5 *l.* or 6*l.*

4564. *Chairman.*] Is there any perceptible decrease in the number emigrating?—Since the rise in passage money there has not been.

4565. Sir *T. Herbert.*] What is the passage money now?—From 5*l.* 10*s.* to 6*l.*

4566. By this ticket it appears to be 3 *l.* 2 *s.* 6 *d.*?—That was some time ago; it has been so low as 2 *l.* 17 *s.* 6 *d.*, but that 5 *l.* 10 *s.* or 6 *l.* includes the steamboat fare from Cork to Liverpool, which is 10 *s.*

4567. Captain *Scobell.*] Now, notwithstanding this increased rate of charge for emigration, is emigration increasing or decreasing from Cork?—I think the tide of emigration is as great now as it has been for any one year for the last five years, and the emigrants are of a more respectable class.

4568. Speaking only of the labouring class, is it the case that those who emigrate are the most steady and the most useful part of the population?—They are small farmers' sons and daughters.

4569. What are they as to character?—They are all of good character, and are generally the sons and daughters of respectable farmers, the poorer class of farmers from the country; and after they have emigrated, and made a few pounds, they remit it to their parents, and have the whole family over.

4570. Is the population, as a whole, getting in a worse state?—It is on the decrease, and the country is very badly off for want of the labouring classes.

4571. If those of good character go away, and the worst remain, how is the country off as to crime?—Crime is very much on the decrease.

4572. Is the price of labour increasing?—It is.

4573. From what amount?—They were only giving them 8*d.* a day in the country, and now they cannot get them at less than 1*s.* 4*d.* or 1*s.* 6*d.*; and if the tide of emigration continues as it has done for some years past, I think it will be very hard to find labourers in the country.

4574. Is emigration going on as rapidly now as it was this time last year?—Yes.

4575. *Chairman.*] Are they beginning to give food to the labourers besides their day's wages?—In some parts of the country they are; they must do it to induce them to go to work.

4576. Sir *T. Herbert.*] According to what you have stated, there are about 25,000 emigrate from the port of Cork every year?—I think there must be that number; I am nearly sure that there is that number, and more, because the sailing vessels are not included in that.

4577. *Chairman.*] You are speaking of the vessels that go direct?—Of direct vessels. A ship that is put on by the agents at Cork, to go direct to New York, fills up immediately. Those which have gone out write back to their friends, and say, "If you are coming to America, come direct; do not go on board the steamer and go to Liverpool, but come direct, and you will save a great deal of time and money."

4578. Mr. *Fagan.*] Do they send the money as rapidly now from America to their friends as usual?—I think the remittances are greater for the past 12 months.

4579. Sir *J. Anderson.*] How long ago is it that they were working for 8*d.* a day?—Last year.

4580. *Chairman.*] Do you know anything of the extreme rate of wages in the west part of the county of Cork?—One shilling a day; I have known them to work for 3*d.* and 4*d.* a day prior to 1847.

4581. Captain *Scobell.*] Then the increased wages which the labourers remaining in Ireland get, and the increased payment which a passenger is obliged to give to get to America, does not seem to check emigration?—No.

4582. If emigration goes on at the same rate as far as you know in the district around you, will it be so extensive as to make labour inconveniently scarce?—Very much so; the agriculturists will find it very difficult by and by to get men to work on their farms. I have a very good knowledge of the country, for I am very often out, and I find through the counties of Limerick, King's and Queen's, Carlow, Tipperary, and that direction, that the demand for labour is very great, and the labouring classes there very scarce.

4583. Mr. *Fagan.*] Do you find that the artisans are emigrating also?—A great number of them, and those who can make up as much money as will take them are all making off to Australia. I think that by and by the great tide of emigration will be to Australia.

4584. Sir *T. Herbert.*] Now, do you consider that the best class and the most industrious go to Australia or to America?—I think there is as good a class going to America as to Australia. They may not be provident enough to have as much money as the Australian emigrants. I have known emigrants to emigrate to America for the purpose of making money, and then coming back to go to Australia.

4585. Do you think there is a greater desire to go to Australia than to America?—Yes, but that feeling only exists where their whole family is in Ireland; those who have a portion of their family in America wish to go to join their friends.

4586. Do you consider that those who have neither friends in Australia nor America wish to go to Australia?—Yes.

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4587. Captain *Scobell.*] Have you found that those who do go to Australia, or have been there any given time, are remitting money home, as they do from America to their friends?—I have known one young man who left Cork; I think he is not away more than 12 months, and he has remitted two 20 *l.* cheques to his brother.

4588. Was he in the police?—Yes, in Australia; and he wrote to his brother that he would remit him 50 *l.* more, upon the receipt of the answer that he had received the last 20 *l.*

4589. For what purpose?—To bring his brother and sister out to him.

4590. And you think that not a singular case?—I have known one young boy, who was a runner to an emigration broker's office, at 6 *s.* or 8 *s.* a week, who went out there, and was only six months away, when he remitted 50 *l.* to his brother; I have seen the letter.

4591. Have any others of the police gone, except the one you have spoken of?—I did not refer to the Irish police; but the emigration from the Irish police is very great.

4592. When you say very great, in any one year, in 100 men, how many have gone; state the maximum?—In the city of Cork, the strength of the force is 112 men, and I have known as many to go as three in one week; I think for the last three months we had 12 or more resignations.

4593. Out of the 112?—Yes; I have known some of the constabulary resign for the purpose of coming over, and trying to get into the English police.

4594. Do you find that it is the most respectable part of the constabulary, and those who are not found fault with, who emigrate?—They are of the class who have been very steady in the force for a number of years, and they resign. Those of bad character seldom have any means, and they hang on to the force until dismissed; those who emigrate are the quietest and best men.

4595. Do the constabulary you speak of go to Australia or America?—According to their means.

4596. Some to Australia and others to America?—Yes. I knew one head constable who resigned to go to America. He was there a short time, and wrote back, saying that he was ready to send funds to as many of the constabulary as wished to emigrate, and I believe as many as five or six went.

4597-9. Mr. *Fagan.*] You have been appointed by the Government to watch over these emigrants; have you sufficient authority under the present Passengers' Act to interfere?—No, I think our authority is not sufficient in many cases, nor have the magistrates a proper jurisdiction. They have no jurisdiction in some instances. I have been appointed by the police officer at Cork, Mr. Walker, by the directions of General Sir Duncan M'Gregor. In cases where the emigrants are furnished with bad provisions by shopkeepers, and they are brought before the magistrate, he has no jurisdiction to punish. The magistrate should have a summary jurisdiction, so as to prevent these frauds. When these frauds are practised upon emigrants they are generally going away; perhaps the same day, or the next morning by the steamer; and the consequence is that they have not the means to prosecute the party, and therefore the magistrate cannot do anything to the grocer, or whoever the party may be, without he is brought before him at once.

4600. Sir *T. Herbert.*] At present you have to summon the offender to appear at the petty sessions before you can convict him?—Yes; I think that the power of the magistrates to enforce penalties in Ireland, and the mode of procedure and the forms, as near thereto as the case may admit, should be in all respects similar to those contained in the Magistrates Summary Jurisdiction Act (Ireland), 1851, 14 & 15 Vict. c. 93. This Act controls all proceedings before justices, and it is very awkward to have special forms of procedure for every special Act. No objection should be allowed for want of form, provided the summons sufficiently states the offence, and be not calculated to mislead. The justices should have power, if in their opinion circumstances require it, to issue summonses at sight; there should be a summary power in the justices to bring before them, and convict, by penalty or imprisonment, or both, persons making up fraudulent or unhealthy provisions, groceries, or so forth, for emigrants, or practising fraud or deception, or making any false pretence or reference to the same; and in any such case where it should be proved that any grocer or so forth paid any sum as douceur

a douceur to persons, on going before the justices they should have the power to enforce a penalty. There should be a clause in the Passengers Act, giving power to the magistrates to issue summonses at sight, and have the matter tried at once, as it is impossible the emigrants could remain to bring an action. As the law exists at present there can be no proceedings taken against shopkeepers, except by process, and that would keep a passenger in town two or three weeks.

4601. Mr. *Peel.*] Do you propose that Parliament should regulate by a passengers Act the power of private purchases in Cork?—I propose, with regard to emigrants, in cases where an emigrant has been fraudulently deceived by these parties, a power to the magistrates to summon them on sight, and to punish them by penalty or imprisonment, for these frauds are not practised on any but emigrants.

4602. Sir *T. Herbert.*] Did you not say that all this would be avoided if you increased the dietary, so that they should be provided with everything on board?—Yes.

4603. *Chairman.*] You suggest that they should get a sufficiency of food for the whole voyage, and not be allowed to purchase any provisions themselves?—Yes; that there should be enough for the voyage.

4604. Captain *Scobell.*] What you mean is, that the remedy which the emigrant has in case of any complaint, wanting the law to protect him, should be positive, because he has not time to follow up the process?—Yes.

4605. You suggest that there should be an immediate summary hearing of the case, and a decision?—Yes, either that or an extra supply of provisions from the ship, which, if given, would not subject the passengers to have these frauds practised on them.

4606. Mr. *Fagan.*] That would not render it necessary for him to make these purchases?—No.

4607. Mr. *Peel.*] You would not propose to give a summary power to the magistrate over the purchase of articles not necessary for the emigrant's sustenance or clothing?—Any fraud practised on the emigrant.

4608. How would you define an emigrant in Cork; would you define an emigrant to be a person intending to leave within a particular number of days?—Suppose that an emigrant came to town yesterday, and had his passage paid, and leaves to-morrow at six o'clock by the steamer, and that to-day he goes into town and purchases a quantity of provisions, and clothing, and other matters, and is charged an exorbitant price for those; I would then give a power to the justices, if they should think fit, to adjudicate upon it.

4609. Mr. *Fagan.*] You would not give them any other power but that of immediate adjudication?—No other power.

4610. Captain *Scobell.*] Each emigrant enters into an arrangement and signs a document?—No, he gets a contract ticket; he signs no document.

4611. Do you mean to limit your suggestion to those who have made an arrangement with the master of a vessel to go in his vessel?—Yes.

4612. You limit your suggestion to those who enter into an engagement of that sort?—Those who have a contract ticket, and have their arrangements made to go to America, and have paid their full passage money, or a portion of it. I think that the magistrates should have full power to adjudicate summarily in that case, if it were clearly proved to them that there had been actual fraud practised on this kind of people, for some of them who come in are very simple, and have no craft at all.

4613. *Chairman.*] You have been asked whether you meant that should apply to every purchase, or whether you would limit it to articles which were necessary for the voyage?—I think it should be limited to the necessary provisions for the passengers on the voyage. It would not be fair towards the shopkeepers to have an Act by which they could be punished for everything.

4614. A passenger may take it into his head to buy a new hat, or some fine article of clothing?—In the case of clothing, or such matters, I do not think it is necessary at all.

4615. Mr. *Peel.*] Only as to food and provisions?—Only as to that.

4616. You would propose a supplementary dietary scale, to be provided by the emigrant himself out of his own pocket?—No not by the emigrant, but the charterer of the ship or the agent, as the case may be; and if that is given, there is no necessity for any summary power to be given to the magistrates.

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4617. Captain *Scobell.*] Do you propose that the passenger should still supply part of his own provisions?—No.

4618. You mean that the dietary scale should be sufficiently good, in order not to make it necessary for him to supply anything?—I do.

4619. Mr. *Peel.*] In that case you would give him no protection for his right of private purchase?—He needs none, if the ship provides a sufficient scale.

4620. You would give him none?—I do not see that it would be necessary, when he would not have to purchase those articles in which fraud might be practised upon him.

4621. Mr. *Fagan.*] Are the magistrates in Cork particular in the persons to whom they grant licences to act as agents?—Yes, very much so.

4622. Are those licences renewed?—Yes, they are renewed once a year; the clerk of the petty sessions calls a meeting of the magistrates for a certain day, and he also summons the agents to appear there on that day, to have their licences renewed.

4623. Do the agents pay a fee for that renewal?—They pay no fee. I think the clerk should have a fee, as he has a great deal of trouble, and nothing whatever for it.

4624. *Chairman.*] Have you any other suggestion you wish to make to the Committee?—I would suggest that the magistrates should have the power to compel the emigration brokers to return any money paid to them by thieves or persons who may have stolen it, if the money by which they pay their passage be or is supposed to be a portion of the money stolen.

4625. Mr. *Peel.*] Even in cases where the emigrants have actually left, and been provided with a passage?—No; what I mean is, that when a thief is arrested, and it is clearly proved to the magistrates that he has stolen the money, then they shall have the power of making the broker return it. I have had several cases in which the money was not returned; the answer the agent made upon application was, that the ship had gone one hand short on her passage.

4626. *Chairman.*] Is there no power at present to compel the return of the money in such cases?—No, not by process or otherwise.

4627. Does not the law stand now, that a pawnbroker with whom a thief deposits stolen goods is obliged to give them up to the owner?—Yes; but it is very hard to prove that the money is stolen; suppose you have got two 10*l.* notes, and I stole them from you and change them, the money I get for them cannot be identified by you.

4628. Mr. *Peel.*] You are supposing the passenger broker to be acting *bonâ fide*?—Yes.

4629. And to have actually sold the passage without knowing whether the money with which he was paid was stolen or not?—Yes.

4630. Captain *Scobell.*] You think if he has paid his passage money, that that passage money should be returned?—Not in cases where it is his own money, but in cases where it is clearly proved that the passenger had no means of making his escape out of the country except by that which he had stolen, I think that he, the passage broker, should be made to give it up.

4631. *Chairman.*] Supposing it could be proved that the money was paid by the man who was a pauper, and therefore that it was impossible he could have had the money, is not the law now strong enough to compel the return of the money?—No.

4632. Mr. *Peel.*] You propose to mulct an innocent party for the fraud of another person's servant?—No.

4633. Do you not propose to mulct the emigration broker, though he has been acting *bonâ fide* in the matter of the money paid him fraudulently by another man's servant?—No.

4634. Then what do you propose?—I propose that the emigration broker who was paid the money that was stolen should give a passage to another person, and let him go instead of the thief, and then the loser of the money can sell the ticket.

4635. May it not often happen that the vessel has sailed?—In that case I do not think there should be any proceedings taken. I only speak of parties coming into Cork. Suppose a man came in yesterday, and pays his money to-day, and the ship does not sail till to-morrow, perhaps, after paying the money, as he comes out of the office, I arrest him, and go to the agent and say, "This contract ticket has been paid for with money which has been stolen; be careful to keep the money

money he has paid you with, as it may be recognised." Then the agent says he does not care; there is no law to compel him to return it.

4636. Mr. *V. Smith.*] How do you distinguish that from any other money which he may have spent?—Why in this case it is not spent at all.

4637. Suppose he bought new clothes with the money?—In that case the party has got the new clothes, or whatever else he purchased; but the emigration ticket is of no value.

4638. Suppose he spent the money in eating and drinking, so that it has been consumed, you cannot recover the money from the persons to whom it has been paid because it is a theft; why should you in the case of an emigrant's passage money?—The agent has lost nothing at all by it, because they may admit another person in the man's place.

4639. *Chairman.*] Have you anything else to suggest?—There is as to section 16. The only portion of that which I should think necessary to have amended is, that as the emigration officer is not in the heart of the country, nor cannot go except at a great expense into the country to demand of those persons their licences or authorities, that the police should have full authority to demand the licence of any person acting as emigration broker in any part of the country. The reason why I suggest this is, that some time ago a stepdaughter robbed her stepmother of 7 *l.*, and she came in to Charleville, in the county of Cork, and engaged a passage, for which she paid 4 *l.*, and the person she engaged the passage of was not a licensed agent; and the police were written several times to. I communicated with my officer, Mr. Walker, and he sent a communication on to the sub-inspector at Charleville, as he had no direct communication with Liverpool, as this man was booking a great number of passengers, and saving himself by taking the money and sending it on to Liverpool before them. This girl was going off, when I arrested her on suspicion of having committed an offence; and I found this ticket upon her, and she told me how she had got it. I communicated with Captain Friend, the then Government agent in Cork, and he suggested that I should at once bring the girl before a magistrate, and get her to lodge an information, which I did, and got a warrant, and went down to Charleville, and searched this man's house, where I found a number of placards and a small book in which he kept a register of the number of passengers, by which I found he had sent away in three months a number amounting to 500 or 600, to a runner named Graham, in Liverpool.

4640. Mr. *Peel.*] Was he duly licensed?—He had no licence.

4641. Was he not punishable under this section?—He was, and the magistrates fined him; but the police had no authority to go into this man's house and demand his licence. Where he lived is 40 or 42 miles from Cork. I went there, and arrested him, and he was brought before the magistrates, and security was taken for his appearance on a certain day; so that we had to go a second day to Charleville at some expense; and after all, he was only fined 5 *l.* under this Act, the magistrates giving him a caution. We should not have had to undergo this expense and trouble if the police had full authority to go into this man's house and demand his books and licence.

4642. *Chairman.*] Then your recommendation would be that the emigration officer should be able to delegate his powers of detection to the local police officers?—No; that the police should be made in every instance, in every place, whether seaport or inland town, to be the assistants in general of the Government agent, and to communicate every circumstance that might come under their knowledge of any frauds being practised on the emigrants.

4643. Should have power, whether written to by the emigration officer on the subject or not?—Should have the same power in these country towns.

4644. Mr. *Peel.*] It is not necessary in proceeding under this section that a man should be asked to show his licence, nor does this section give any power to the emigration agent to enter a man's house to examine his books?—It gives him the power to bring him before the magistrates. By the 47th section they have a right to demand, and the police has no right at all. The charterer, or the Custom-house officer, may go and demand his books, but he will not give them to a police officer, because he has no authority.

4645. *Chairman.*] Your recommendation then shortly is, that the police should, in addition to the powers they now have, be empowered to ask any person whom they find to be taking money from emigrants for their licence or authority?—So

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that they need not to put the Government officer to expense, unless it is in an extraordinary case. It is difficult in many cases where a man is robbed; upon going to these brokers and inquiring of them, they may tell me or they may not, they need not tell me if they do not like; but they are now very civil to me latterly, and give every assistance to the police.

Mr. *John Besnard*, called in; and Examined.

Mr. *J. Besnard.*

4646. *Chairman.*] DO you reside in the city of Cork?—Yes.

4647. What is your occupation?—I am general weighmaster of Cork.

4648. You have been a good deal conversant with the emigration from the port of Cork, and the details of it?—Yes.

4649. For how many years?—My first connexion with emigration was in 1831.

4650. Were you examined before the Committee in 1851?—I was examined in the House of Lords upon a Committee in 1848, and upon a Committee in the House of Commons in 1851.

4651. You have seen the working of the amended Passengers' Act of 1851?—Yes.

4652. Do you consider the improvement considerable under that Act?—I think it has been productive of much good, and I think much remains still to be done.

4653. With reference to what point would you wish first to speak, where the present amended Passengers' Act requires further amendment?—The 12th clause is the first; I should not suggest any alteration in the space of the American ships, but I should respectfully suggest an increase of space in the Australian ships.

4654. What increase do you propose?—Twelve per cent. in the Australian ships.

4655. Mr. *Peel.*] How many clear superficial feet would you allow to each adult?—Seventeen feet, instead of fifteen feet.

4656. You do not recommend any alteration with regard to American vessels?—No.

4657. Mr. *Fagan.*] Why is it you recommend an increase in the Australian emigrant ships?—From the length of the voyage, and the weather, and from various communications which I have received from two brothers who reside in the colony, one of whom comes very much in contact with the emigrants.

4658. Mr. *Peel.*] You would allow an emigrant to Australia half as much space again as you would give to an emigrant to America?—Yes, very nearly.

4659. *Chairman.*] You were making a statement about your brother; will you complete it?—In consequence of what he has mentioned about the arrival of ships, and their state on their arrival.

4660. Has he mentioned that they suffered?—Knowing that I have been so largely mixed up with emigration, and taking an interest in the subject generally, he has been in the habit of putting me in possession of such information as he could.

4661. Mr. *Peel.*] Where has he written from?—From Sydney.

4662. Referring to what particular class of emigrant vessels?—Of Government emigrant ships, generally speaking.

4663. And he considers the accommodation of those vessels insufficient?—He thinks that the space ought to be increased.

4664. *Chairman.*] Do you recommend any alteration in reference to children; should children under the age of 14 be considered adults?—I think if that space is given there need be no alteration in that respect.

4665. Mr. *Peel.*] Not even in the voyage to America?—Yes. I can speak particularly with reference to America, having myself fitted up a ship for America upon a plan the principle of which I should like to describe.

4666. Captain *Scobell.*] Do you think 12 feet sufficient?—Yes.

4667. Mr. *Fagan.*] What ship do you speak of?—A ship called the "Clyde," exactly upon the principle of the Australian ships before the Passengers' Act was passed at all.

4668. Before any Passengers' Act was in existence?—Yes.

4669. In

4669. In what year was that?—In the year 1842. In 1842 the first Passengers' Act came into operation.

4670. *Chairman.*] You were understood to say that you fitted up this ship for the American trade in the same manner as the Government ships have been fitted up for Australian voyages?—Yes.

4671. Not as regards the space?—No.

4672. In what respect, as to the fittings?—I fitted this ship with a separate place for the single men in the fore part of the ship, and a place for the married couples in the centre, and a separate place for the single women abaft. At the entrance to the department where the single females slept I placed a married couple who had two adult daughters; this arrangement I would recommend to be adopted in all American passenger ships.

4673. Mr. *Peel.*] Did you insist on a separation of families, in respect to the unmarried females?—I had not the slightest necessity; I fitted the ship, and found not the least difficulty whatever.

4674. But you would have insisted on it?—Yes, I would not have sent a ship to sea without it.

4675. *Chairman.*] Are you aware that the present Passengers' Act provides for the separation of unmarried males?—Yes.

4676. Have you seen it carried out?—I have, on board emigrant ships at Cork.

4677. Have they carried out that suggestion?—Yes.

4678. Mr. *Fagan.*] Would you recommend an improvement in that portion?—I would strongly recommend that the single men should be berthed separately, and that two single men should not be allowed to sleep together; that they should be separated by a plank.

4679. *Chairman.*] Were the bulkheads that you put up louvered bulkheads?—Yes, so as not to interfere with ventilation.

4680. Could the parties in the different divisions see each other through those openings?—No.

4681. In the vessels you have seen fitted up under the Passengers' Act, were the bulkheads so louvered that they could see each other?—Not any that I have seen. I am bound to say that the Government agent at Cork so thoroughly understands his duty, that he would not permit a ship to go to sea without being fitted in all respects as she ought to be.

4682. Mr. *Peel.*] Do you propose any further separation of the passengers than now takes place under the amended Act?—I should suggest that ships going to America should be in fact in the same state precisely as the ships chartered by Her Majesty's Land and Emigration Commissioners, as regards the separation of the sexes.

4683. What would that be?—Placing all the single men in fore part of the ship (each man to sleep alone); the married couples and single females to be placed as before suggested.

4684. Suppose a married couple wished to have their grown-up daughters in the same part as they were in themselves, would you allow that?—I would not act for a ship so fitted; I consider it exceedingly wrong.

4685. Even although a married couple wished to have their daughters under their own eye?—I would not permit it; she is much safer under the other system; she would have much less chance of being subject to anything indelicate.

4686. *Chairman.*] Do you consider the space given under the beams for the two tiers of berths sufficient?—I do not think that any ship should be allowed to take passengers with less than seven feet from deck to deck.

4687. Do you mean seven feet between the beams?—No.

4688. Under the beams?—No, from deck to deck; you would shut out a good many ships, if you insisted upon seven feet from above the deck.

4689. Captain *Scobell.*] Did you put your berths athwart the ship, or fore and aft?—The berths were fitted along the side.

4690. You mean they are placed at the side of the ship?—Yes; the emigrant's head was at the side of the vessel.

4691. Mr. *Peel.*] The berths were placed at right angles to the side of the ship?—Yes.

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4692. Captain *Scobell.*] Have you ever been at sea?—I have been very often on steamers with these poor emigrants.

4693. Were you ever in a gale of wind?—I cannot say that I was; but I have had the unhappiness to come from Cork with a large body of emigrants, many of whom had to be put in hospital after arrival; and one man, of the name of Ryan, from Nenagh, in the county of Tipperary, the father of seven children, died in an hour after he landed, from cramps produced by the wetting and fatigue he passed through during the night.

4694. *Chairman.*] How many might there have been upon that occasion on deck?—I think the numbers were about 140.

4695. No shelter?—Not the slightest.

4696. What length was the run?—Thirty-odd hours.

4697. Mr. *Peel.*] What year was that?—1840.

4698. Fifteen years ago?—Yes. That occurrence terminated my connexion with bounty emigration from the port of Plymouth.

4699. *Chairman.*] Do such things occur now?—I cannot answer that; all I am prepared to state or prove is, that there is no shelter or protection given to Irish emigrants proceeding to English ports.

4700. You have heard the evidence of the last witness with reference to the deck passages; does your own experience bear that out?—Yes, entirely; I have gone to Liverpool expressly to wait the arrival of Irish steamers, and no language at my command can describe the scenes I have witnessed there; the people were positively prostrated, and scarcely able to walk after they got out of the steamers, and then they were seized hold of by these unprincipled runners, so well known in Liverpool. In fact, I consider the manner in which passengers are conveyed from Irish to English ports disgraceful, dangerous, and inhuman.

4701. Captain *Scobell.*] Was that because they were just off a voyage, and sea sick, or merely because they had been on the upper deck exposed to the weather?—Prostrated from the inclemency of the weather.

4702. And the cold?—Yes.

4703. And wet through, or anything of that sort?—As wet as if they had been dipped in the sea.

4704. But the great majority of the passengers shipped in a vessel for a passage from Ireland to England, who had never been at sea before, would be sea-sick all the way?—Yes; and if you add to that the wetting I describe, they would be in a most helpless state.

4705. Do you not think the greater part of that would probably be from sea sickness?—Sea sickness must always leave a very debilitated feeling for a long time, and that must be very greatly increased by the suffering from cold at night.

4706. Were the vessels in question that brought over passengers so full below that there was no room to allow any of them to go down?—I have known their baggage to be washed off the decks of steamers, there being no place to put it down.

4707. Sir *T. Herbert.*] Would you make any difference between the steamers carrying over the passengers in the winter and those in the summer, as to numbers?—If I could control it, I would not allow any steamer to take passengers which had not better deck accommodation.

4708. *Chairman.*] They have generally cargoes already?—I have known as many as 1,100 emigrants leave the port of Cork for Liverpool in a steamer.

4709. With cargo on board?—Full between decks. The whole of the emigrants were exposed to all I have described; the pigs were taken care of in the between decks.

4710. What number of pigs have you seen carried?—Three or four hundred.

4711. Besides emigrants?—Yes, all huddled together.

4712. Mr. *Peel.*] Can that state of things happen at the present time?—It goes on to this hour; the same number of emigrants are not carried. I do not know the exact limitation, but if I might take the liberty of making a suggestion, I would strongly recommend the Committee to summon the captains of the Plymouth and Liverpool steamers, and oblige them to bring the measurement of their steamers, and a return for the last two years of the number of emigrants, pigs, cattle, &c. taken, at the same time. This return would enable the Committee to

to at once see the total absence of proper protection or accommodation for deck passengers.

4713. *Chairman.*] Are you aware that the Steam-packet Act of 1851 requires each steamer to have a certificate from the Board of Trade, which limits the number of passengers she shall carry?—I do not know the particulars of the limitation, but I am prepared to state that, whatever that limitation was, it was not sufficient, and that there are now a greater number of people allowed to proceed than ought to be; and if ever there be an accident from the number of passengers, and want of shelter, and a sufficient number of boats, the loss of life, in my opinion, will be fearful.

4714. The pigs are taken care of?—Much better than the emigrants. Somebody has an interest in their lives, but nobody seems to care about the poor emigrants.

4715. Can you give any evidence as to the fitting of these vessels with regard to the privies?—I was going to describe the exact way I fitted that ship, the Clyde.

4716. Have you a description of the fittings there?—I fitted her in the way I describe. I placed two water-closets between decks and two on the deck, and I paid a man four guineas for taking special charge of the water-closets during the voyage. This was previous to the Passengers' Act being passed at all.

4717. Captain *Scobell.*] In what part of the ship were they situated?—In the centre.

4718. Both above and below?—Towards the bows, on the deck.

4719. *Chairman.*] Did you receive any account afterwards of the working of those closets?—A most satisfactory one. I have a brother most extensively engaged in the timber trade at St. John's, New Brunswick, who sends a great many of those ships over with timber, which take back emigrants from Cork; I have been in constant correspondence with him, and on the arrival of these ships he wrote to me that finding in part in provisions (that was the first ship that ever arrived there with that arrangement), was a step in the right direction, but it never would be complete until the scale of dietary was made sufficient to prevent the evils complained of. At the time I fitted out this ship there were no provisions given; it was the year before the Passengers' Act came into operation, and it was the sufferings I saw these people endure, and the accounts I often read with regard to American emigration, that induced me to make this trial; and after I had done so, I took the liberty of sending one of my circulars to the Colonial Secretary of the day, Lord Stanley. In that arrangement I introduced also the compensation of 1 *s.* a day.

4720. With regard to this point of the water-closets, the accounts were satisfactory as to the working of them?—I appointed a man in the capacity of steward, who is still in my employment, who had been in the habit of going to Plymouth in 1839 and 1840, and on whose integrity I could place reliance, to serve out the portion of food given to the emigrants in this ship. That ship arrived in the most perfect condition, and he attributed the health in which the emigrants arrived in a great degree to the perfect cleanliness observed between decks, in consequence of the way in which the water-closets were kept, which he attributed entirely to the fact of a man being especially in charge of them.

4721. Have you remarked a deficiency with respect to water-closets in the emigrant ships at present proceeding on voyages?—There are no water-closets in the between-decks of the emigrant ships leaving my port.

4722. They are on deck?—Yes; I consider it an arrangement exceedingly indelicate; it is a shocking thing for the young females to be obliged to go up amongst the sailors.

4723. From your own experience, you would recommend the water-closets to be between decks, and you believe they could be satisfactorily worked if a person was specially in charge of them?—I know they could from experience.

4724. Captain *Scobell.*] What was the name and tonnage of the ship you sent out in 1841?—She was 1,000 tons register and eight feet four inches between decks.

4725. What name do you say?—"The Clyde."

4726. Did she carry a surgeon?—Yes; and he was a married man.

4727. Mr. *Peel.*] What space was allowed to each passenger?—The berths of the married people were three feet wide and six feet long.

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4728. Of the single persons, what was the size of the berths?—Eighteen inches.

4729. Twelve superficial feet to each passenger?—Yes.

4730. Sir *T. Herbert.*] What did you allow to the children between 13 and 14; were they counted as one adult?—I counted those under 14 as half an adult.

4731. Sir *J. Anderson.*] What was the passage-money by that vessel?—£.4. 10 *s.*

4732. Mr. *Peel.*] To New Brunswick?—Yes.

4733. From Liverpool?—No, from Cork.

4734. Sir *T. Herbert.*] You provisioned the emigrants for that sum?—I did; and, in addition, gave one week's provisions on the same scale to each passenger on landing, to prevent inconvenience.

4735. *Chairman.*] Are you conversant with the nature of the cargoes that these emigrant ships take; do you know anything of the effects of the iron cargoes which they carry?—Not of my own knowledge; but from correspondence that I have had with parties, I have no hesitation in saying that no emigrant ship should be allowed to take iron.

4736. There are three vessels in the port of Cork at this moment which have put back?—Yes.

4737. Do you know what cargoes they have on board?—No; but in consequence of a conversation I had with Captain de Courcy the day before I left, and from a variety of things I have heard with regard to those ships, I should most respectfully recommend the Committee to summon the captain before them; I believe there was immorality, and want of system, and insubordination among the crews on board those ships, to a very serious extent.

4738. Mr. *Peel.*] Where did those vessels leave from?—From Liverpool.

4739. *Chairman.*] How long has Captain de Courcy been officer at Cork?—For the last two months.

4740. And he is very active in the discharge of his duty?—From my short experience he is a most valuable public officer, and in this case would make a most desirable witness.

4741. Have you noticed the water casks with which these emigrant ships are provided?—Yes.

4742. Have you any remarks to make on their condition?—I am perfectly satisfied that as long as the present system of water casks lasts, they can never be inspected as minutely as they ought to be.

4743. Describe the manner in which they are inspected at present, so far as you have seen them?—They are simply arranged on the quay, the head and bottom being in, and therefore no opportunity, such as I think ought to be afforded, of examining whether they are thoroughly clean or not. I would strongly recommend as an improvement, that those casks should be examined by a sworn master cooper, and that after they were examined they should be branded with the word "inspected" and his name, and that the imitation of that brand should be punishable by imprisonment.

4744. Mr. *Fagan.*] What reason have you for making this recommendation in reference to water-casks?—Because I think it is utterly impossible that any cask can be inspected without having the head out.

4745. Have you heard any complaints in reference to these water-casks, or the water contained in them, from emigrants?—No case has come to my own knowledge.

4746. Captain *Scobell.*] Should you think it desirable that part of the water should be carried in iron instead of wood?—I think it very desirable, but I am afraid that the expense would deter.

4747. There is a project now for making water-casks of iron for vessels engaged in the emigrant trade; might it not be arranged that a certain portion of the water, if not all, should be carried in iron tanks?—So much of the emigration from Ireland is carried on in ships that bring home timber, that I am afraid that could hardly be carried out; if it could it would be very desirable.

4748. *Chairman.*] Do you wish to state your own experience as to the dietary on the present scale in the Act?—Yes.

4749. Sir *T. Herbert.*] In your former evidence you recommended that all emigrant

emigrant ships should find the passengers with provisions; are you still of that opinion?—Yes; and I am perfectly satisfied that, so far from raising the price of the passage, the emigrant would go cheaper. My reasons are these: that there is no duty on tea or sugar consumed at sea. The emigrants, as the last witness has described, are robbed to a great extent, with respect to that particular subject.

4750. It would prevent those people being defrauded?—Yes; but in addition to having to purchase this food, these poor people have to come to the port of embarkation a day sooner than they need if the ship found all the food. They come in looking for these matters; and the variety of expenses that these poor people are put to in these towns or cities is beyond all calculation.

4751. Mr. *Peel.*] Do any of them read this scale, and consider whether it is sufficient for their wants?—I believe, very seldom. It is a most extraordinary fact, that emigrants are exceedingly thoughtless and very confiding.

4752. However ample the scale was, they would probably resort to this same proceeding to supply themselves?—I do not say that.

4753. Sir *T. Herbert.*] You would not allow passengers to take any provisions on board?—Not an ounce. My reason for being so strong on this dietary scale arises from the fact of my having sent this man to distribute this food which I gave in 1841.

4754. Have you got that scale?—Yes. The wasteful expenditure on that occasion of their own food was absurd. If a child only cried, they would throw it two or three biscuits to quiet it; and there was also a total want of system and arrangement; but there was no controlling them.

4755. *Chairman.*] The question has been put to you whether the emigrants are aware of the present dietary scale?—I do not think they are; they are so exceedingly careless in reading these documents.

4756. Supposing you gave them an improved scale, how could you prevent their carelessness?—If you tell an emigrant that you will find him altogether, he will take care to see whether he has enough or not.

4757. Sir *T. Herbert.*] Would you recommend the scale you adopted in 1841 to be used now. What would you recommend now?—I would recommend that all the emigration ships proceeding to America should be found in the same scale of food as that provided by Her Majesty's Land and Emigration Commissioners.

4758. Mr. *Fagan.*] Going to Australia?—To America the same as to Australia, and for this reason, that I know that that scale has been struck after years of experience, and that the parties proceeding in the Government ships are in the same rank of life as the American emigrants.

4759. Mr. *Peel.*] Is that a scale which has continued without alteration for any length of time?—I cannot answer that; but I know myself that the Commissioners have been always collecting the evidence of their surgeons, and always improving and altering their scale of dietary; therefore I am bound to believe, upon that particular subject, that they, having had so large an amount of experience, must have arranged the scale of food most likely to preserve health.

4760. And you would require the masters of all emigrant vessels to conform themselves to the varying regulations of the Commissioners of Emigration?—I would, and I would give the Queen in Council power to alter the scale of dietary, or anything else that the Commissioners suggested, from time to time.

4761. In what particular respect do you think this Parliamentary dietary scale insufficient?—Simply because I know it is not sufficient for the sustenance of any human being.

4762. Captain *Scobell.*] Point out any deficiency which you consider to exist in that dietary?—As I said before, I consider the present scale of food for American emigrants quite insufficient; and I have no hesitation in saying, that emigration to America can never be conducted properly until the passengers are found altogether by the charterer of the ship in such a scale of food as shall be considered sufficient by Her Majesty's Land and Emigration Commissioners.

4763. Mr. *Peel.*] Should it be double the present scale?—I think it should be the scale given by the Commissioners of Emigration.

4764. *Chairman.*] Should there be meat?—Yes, decidedly.

4765. How many times a week?—Three times at least.

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4766. In what quantity? The alternative scale says there may be half a pound of beef or pork, exclusive of bone, or preserved meat?—I do not think a safer scale of food could be devised than that of the Commissioners of Emigration. I know of no people so capable of judging, from the sources of information they have had.

4767. Mr. *Fagan.*] Can you give the Committee a scale of dietary by private parties for vessels going to Australia?—I have not got any bill by me.

4768. Mr. *Peel.*] Did you provide meat in the vessel you sent?—Not to any extent worth speaking of.

4769. Have you any reason to suppose that the emigrants would have been landed in better health if they had had meat?—That ship arrived in perfect health; the parties were very comfortably off; they had taken lots of provisions themselves. £. 500 was lost by the ship "Clyde." It was, I may say, an experiment, made with a view of reforming the system on which American emigration was then conducted.

4770. But if you were to repeat that experiment you would put meat on board?—I would. Nothing would induce me to enter into emigration again unless the Act of Parliament required a full scale of dietary; and if that were passed this Session, I would go into the American emigration next spring, to a very great extent.

4771. Do you consider your scale that had no meat in it a full one?—No.

4772. Do you think that in the case of an Australian emigrant more space is required than in the case of an American emigrant?—I do, from the climate he has to pass through.

4773. Is that the only respect in which a difference ought to be made between them?—Yes; space is all the alteration I would make in the case of Australian emigrants.

4774. Neither in the number of the crew, nor in the medical assistance provided, nor in any other respect?—I do not think I could pronounce an opinion with respect to the crew; I am not sailor enough.

4775. With respect to the medical aid?—The Australian ships never go without a medical man.

4776. Would you make a distinction between Australian and American emigration?—I would have a medical man on board every American ship, if I could. Where there is such a number of ships going, it must be, I admit, very difficult.

4777. *Chairman.*] Without reference to the number of passengers, would you recommend a medical man?—I would; I do not think any emigrant ship should proceed to sea without a medical man, and they should be paid so much a head for those they landed in good health.

4778. Mr. *Peel.*] In the case of the Australian emigration, has it not happened that a contract scale, superior to the Parliamentary scale, has been offered to emigrants?—I have not seen any.

4779. Mr. *Fagan.*] Have you never seen a scale of dietary?—Yes, but not any superior for steerage passengers; I have for second-class passengers.

4780. *Chairman.*] You have said that you would recommend meat three times a week; now, passing that by, and taking the other items of provisions mentioned in that scale, would you increase the quantity of any of them, and which?—The answer I would wish to give to that question is, that I am bound to believe, from the vast experience of the Emigration Commissioners have had, through their various surgeon-superintendents, that they must be better judges than I can be of the scale of food suited.

4781. Mr. *Peel.*] Do you believe that if the Emigration Commissioners had to conduct the emigration to America, that they would adopt precisely the same scale as they use in the emigration to Australia?—I cannot answer that question.

4782. At all events you would adopt their Australian scale for the American voyage?—I would; I am satisfied, from shipowners having the advantage of being able to purchase all those things by wholesale, and the competition that always exists in trade, the American emigrant, taking all the expenses that he is subject to in various ways, if he had only to come in the day before the ship was to sail, to embark, would go cheaper, and certainly much better.

4783. Captain *Scobell.*] Have you ever known any instance of passengers going to America by those vessels you have spoken of suffering in health from want

want of dietary?—Only from what I have heard. I have a brother who was for a long time connected with the steamers on the Lakes, and who resided some time at Quebec; he is now gone to settle at Port Philip; he sailed in a Liverpool ship, and his account of the steerage emigrants was the most distressing thing I ever read.

4784. From want of food?—Yes.

4785. And were they more unfitted for labour when they landed?—There was a great deal of illness on board.

4786. Mr. *Peel.*] That was before the recent amendment of the Act?—Yes.

4787. Therefore that can hardly be quoted with relation to the present law?—They are much better found now; for, at the time my brother went out, steerage passengers were found only in one pound of bread stuffs. I am, as I said before, decidedly of opinion, that as long as passengers are obliged to find any portion of food, distress, inconvenience, and hardship will result.

4788. Captain *Scobell.*] The dietary of bread or biscuit should be 2 ½ lbs. a week, that is, five ounces per day; is that enough for a man?—I do not think it is; and I consider also that children from 10 to 14 should get two-thirds, and children from 2 to 10, one-half of any scale of food decided on.

4789. Mr. *Peel.*] Have you ascertained, in the ships chartered by the Emigration Commissioners, where there is a full dietary scale, that the emigrants never take out any provisions of their own?—Yes.

4790. You know that?—I know that; and I sent a ship last September twelvemonth from Cork to Australia, called the "Peru," and the scale of dietary given in that ship was not quite so full as that given by the Commissioners of Emigration. I have read several letters from the passengers that went in that ship, stating that the food was so ample that they could not consume it.

4791. It was too much?—Yes.

4792. Did they take no provisions of their own with them?—None.

4793. You would not prevent a person taking his property on board, although it consisted of food?—As far as the lowest emigration goes, if that scale were adopted I would not allow a single biscuit to go on board.

4794. Captain *Scobell.*] You mean belonging to the steerage passengers?—Yes; for in that way the greatest inconvenience arises to the ship from the baggage, and the way between decks is crowded up with their little wretched stores, which is highly injurious to health, in my opinion; whereas if they belonged to the ship they would all be in a proper place, and be brought up and served out at the proper time.

4795. And whatever the Committee may decide on, you condemn the present dietary provided by the Act of Parliament as insufficient?—Most decidedly.

4796. *Chairman.*] And suggest that the passengers should be supplied, and be made to understand, before they go on board, that they should not supply themselves?—Yes.

4797. Mr. *Peel.*] You stated that in the ship you referred to just now, where the dietary scale was inferior to the scale of the Emigration Commissioners, that the provisions were considered by the passengers to be in excess?—There was very little difference, but it was not so good as the dietary provided by the Commissioners for the free emigrants.

4798. Even although less ample, it was considered by the passengers superfluous?—Yes.

4799. Would you still insist upon a fuller scale being adopted in every instance?—I would insist on the Commissioners' scale.

4800. Sir *T. Herbert.*] You wish to convey by that that there was an adequate quantity of provisions on board?—There certainly was.

4801. Captain *Scobell.*] Do you consider, from the responsible position the Commissioners are in, that their scale is a sufficient one, and not too much?—Yes; I know that scale has been arrived at after great experience and consideration. I know the medical men with whom the Commissioners have communicated upon the subject.

4802. *Chairman.*] Have you conversed with returned emigrants as to the dietary given to them on the passage out to America?—No.

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4803. Do you know anything with regard to the cooking of their food, and the difficulty in reaching the cooking apparatus?—They are bound under this Act to have their food cooked.

4804. Mr. *Peel.*] Do you believe that the food is really cooked under this Act, or not?—I cannot say from my own knowledge, but from many reports, I am afraid it is often neglected.

4805. After quitting the port?—I am disposed to think so, and it ought to be visited in a very heavy way.

4806. *Chairman.*] With regard to the security for carrying out the provisions of this Act, do you think the Passengers' Act sufficiently provides for the cases in which you believe the provisions are violated?—From what I hear.

4807. Do you think the 44th section of this Act sufficiently provides for the purposes therein mentioned?—I have sent 34 first class-vessels from the port of Cork under the bounty system, between 1841 and 1844. The contract was 19*l.* 14*s.* per adult, and the entire of that passage money was withheld until a committee at Sydney and Port Philip, in connexion with the Government emigration agent, was thoroughly satisfied that we had given the scale of food we undertook to give, and that the parties whom we represented to be of certain trades and professions, were truly represented by us. Our money was withheld till we performed our contract both as regards the scale of dietary and everything else.

4808. Mr. *Peel.*] The vessels were chartered by particular persons for the benefit of the passengers?—The vessels I speak of were employed taking out emigrants under the bounty system; the contract was entered into with the Colonial Government; the scale of food given was subject to the approval of Her Majesty's Land and Emigration Commissioners, and the medical men were appointed by them.

4809. How could you prevent the owner of a ship appropriating the proceeds of the passages which he or his broker sold, until proof that the voyage had been satisfactorily terminated?—If a ship were to sail to America to-morrow, and the party chartering that ship received passage money to the amount of 1,000*l.*, for the sake of argument, until he lodged half that passage money to the credit of the Land and Emigration Commissioners, I would not allow the Government agent to clear the ship; and as soon as there was a certificate from the Government agent at St. John's, or the consul in the States, I would repay him the half the passage money that was kept until the contract was faithfully performed.

4810. Mr. *Fagan.*] You prefer that to the present system of having a bond?—I do.

4811. Do not the Poor-law Commissioners require a contract of that kind to be entered into in the case of emigration from the workhouses?—Yes; they give half the passage money on starting, and the other half as soon as there is a certificate from the Government agent that the contract has been faithfully performed. Those are the conditions upon which the pauper emigration is carried on in England.

4812. Is not that the case, also, with the Emigration Commissioners?—Yes.

4813. Mr. *Peel.*] Those are public bodies dealing with the owners of vessels for the benefit of the passengers sent out at the public expense?—Yes.

4814. How could you extend that to the case of private parties?—I cannot imagine anything more simple than if I receive 1,000*l.* passage money, making it the law that half should be lodged to the credit of the Commissioners of Emigration until the contract was performed.

4815. Is not the party bound now even to a larger extent than half the passage money?—I do not consider that he is.

4816. In what light do you regard his bond?—I do not attach any importance at all to it; I am quite sure that the other would be the best safeguard.

4817. *Chairman.*] In the case of a contract between the Poor-law Commissioners and the charterer of ship, where does he lodge half the money?—The Poor-law Commissioners retain it themselves.

4818. They do not pay it?—No.

4819. Mr. *Peel.*] Would it meet your view if the penalty of the bond was lodged with the emigration agent, or the party to whom the bond was made, not

to

to be refunded unless some evidence was procured of the satisfactory completion of the voyage?—I think it would be a very good plan.

4820. Would it not be rather hard upon the parties interested in the ship, that they should be required to pay so large a deposit?—I know respectable houses who wish to see it the law; they wish to see half the passage money down.

4821. Mr. *Fagan.*] The 1,000*l.* bond cannot be put in suit, unless evidence is had from the States or Canada, in case of violation of the Act?—Yes; in my opinion, it is next to useless.

4822. *Chairman.*] Then the onus would be on the owner, in case half the passage money be retained; it would be his interest to produce evidence, whereas there is now no interest to procure the evidence?—If the full scale of dietary were given, and that mode of security adopted, my opinion is that the trade would fall into the hands of men of character, reputation, and capital, and shut out unprincipled people.

4823. It has been given in evidence, that there is a great difficulty in finding out the condition in which passenger ships arrive at the other side; does it not appear to you that, under the present circumstances of the bond, there is no inducement to the charterer to exert himself to procure evidence at the other side, whereas if half the passage money were lodged it would be a direct inducement to him to secure that there should be evidence forthcoming of the good state of the ship on her arrival, because otherwise he would not get his money?—Precisely. I may as well mention, although I cannot recollect the gentleman's name now, but he is well known, and had been for many years the assistant officer of Mr. Buchanan, the Government agent at Quebec, who is a gentleman very well known for the way in which he discharges his duties; this gentleman was in my city last spring, and he and I had a long conversation with regard to the very subject we are speaking of; he told me he thought it was a desirable suggestion, and that unless something of the kind were done, or the ship made liable for everything, that the emigrants could not be properly protected.

4824. Mr. *Peel.*] Has not the ship already been made liable?—No, not to that extent.

4825. Captain *Scobell.*] Is the reason for your proposition this: that if you retain a sum of money there will be no delay in fulfilling the contract, which is a far better security than any bond that you can claim through a legal process?—Yes; and the gentleman I speak of told me, the poor emigrants were always so anxious to get into the interior, it was impossible often to get them to wait to prosecute, or prove their complaints to be correct; he told me distinctly he would tell the Commissioners so.

4826. It has been stated by a previous witness that it would be a good plan to license each emigrant vessel; have you thought of that?—I think it would be a good plan.

4827. Mr. *Peel.*] The change which you would make would be to throw the onus of proof as to the satisfactory completion of the voyage on the charterer of the ship?—Precisely.

4828. Whereas now, in suing upon a bond, proof must be given by the party suing that the conditions of the Act have not been complied with?—Precisely.

4829. You would not restore the deposit made, except the party claiming the restoration of the deposit was able to show that he had fulfilled all the conditions of the Act?—No.

4830. Does it appear to you fair that the onus of proof should be thrown on the owner of the ship?—Perfectly fair.

4831. Captain *Scobell.*] You say that as the owner of an emigrant vessel yourself?—I can only assure this Committee that some of the first men of the city of London, if it were made the law of the land, would go into the American emigration trade in conjunction with myself to any extent. They will never meddle with it until there is a full scale of dietary, a something enforced that will shut out men who have neither character nor reputation.

4832. Sir *T. Herbert.*] Do you consider adopting that would much increase the expense of emigration?—I think it would be the very reverse to the emigrant.

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4833. Captain *Scobell.*] Are you aware that emigration is now going on very rapidly; is it increasing or decreasing?—I never had more applications for information with regard to emigration than at the present moment.

4834. Is it the better part of the population, as to character, that is going, independently of their being the most healthy?—The description of people proceeding to America is altogether different to those who went five or six years ago.

4835. A better description of persons?—Yes, I mean better in circumstances.

4836. Mr. *Peel.*] Are the persons of whom you have spoken deterred from engaging in the passenger traffic, at the present time, by fear of competition from parties availing themselves of the low dietary scale sanctioned by the present Act?—Yes, I would be afraid to charter a ship to-morrow, from my experience, and give the full scale of dietary, while other ships could go with the present allowance. I know this system to be pursued in this city. I have known an emigrant to go into one office, and be told, in addition to the scale such and such quantities would be given; and I have known him go to another office, and be told much less would do, that the other was altogether mistaken; and that is all done with the view of making one office appear cheaper than the other.

4837. Your statement implies that the parties now engaged in this traffic would undersell?—They would, no doubt of it.

4838. Therefore, if your suggestions are adopted, the price of the passage will necessarily be increased?—If I were to give a fuller scale of food than is now given, I should have to charge more.

4839. It is the fear of competition which deters these persons you speak of from engaging in the traffic?—If I add the money that they must pay for the adulterated stuff they buy, and the expense of coming into a city three days before they want to go, the emigrant would go cheaper.

4840. Still you say, you could not compete with the present parties?—Certainly not.

4841. Captain *Scobell.*] Not under the present system?—No.

4842. Mr. *Peel.*] Notwithstanding intending emigrants, if they went by your ships, would have no extra outlay to make on themselves?—Such is the fact.

4843. Sir *T. Herbert.*] Do you not think that would right itself in a short time?—I do not think it would.

4844. Captain *Scobell.*] Is it the case that by the general knowledge they have, that they must provide some provisions for themselves, that they consider themselves obliged to be there previous to the ship sailing, longer than they otherwise would, and are put to expense from that species of detention?—Yes, coming days before there is any necessity.

4845. Whereas if they knew everything was complete, and that they had nothing to do but to step on board, they would come the very day of sailing?—The very day.

4846. Is it not the case, from your experience, that they would absolutely require protection against themselves in reference to diet?—No doubt in the world of it.

4847. If they have the chance of saving a little money, that they will accept a half starvation scale of food?—Yes. I would not allow them to starve themselves.

*Martis*, 23° *die Maii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. John O'Connell. | Captain Scobell. |
| Mr. Peel. | Mr. Fagan. |
| Mr. Geo. A. Hamilton. | Mr. Hankey. |
| Mr. Liddell. | Sir James Anderson. |
| Sir T. Herbert. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *John Besnard*, again called in; and further Examined.



4848. *Chairman.*] ARE you aware of great sickness resulting from the exposure of the emigrants on the decks of steamers going to England?—Yes.

4849. From your own experience?—Several passengers, forwarded by me as deck passengers, have been laid up at Plymouth from fever, contracted by heavy colds they got on the passage.

4850. You heard the evidence of the last witness with reference to the practice that prevailed on board emigrant ships, of the emigrants bringing small breakers of water below?—Yes.

4851. Do you agree with the last witness that that must be injurious to the health of the passengers?—I do; I am quite satisfied, from my own observation, that in nine cases out of ten the water breakers taken by the emigrants are totally unfit; they are subject to no sort of inspection, not even the inspection of the Government emigration agent.

4852. The emigrants, of course, take these in the belief that they will not be sufficiently accommodated otherwise. Would you recommend that the fitters of emigrant ships should be called upon to supply every requisite for the use of emigrants?—Yes; I would oblige the charterer of the ship not only to find the water breakers which contain their daily supply, but also what is called the hook pot in which they mix their tea, and drinking mugs, and tin plates, because I know of my own knowledge that they frequently now embark without those necessaries, or, at least, as good a supply as they ought to have, and they are made of materials so very bad that they cannot possibly last the voyage.

4853. Where do they supply themselves; is it at the port of embarkation?—At the port of embarkation.

4854. You are of opinion that all utensils for their accommodation should be supplied from the ship?—I am; I have no hesitation in saying they would be supplied much cheaper, inasmuch as the charterer would purchase all those at wholesale prices.

4855. Has your attention been drawn to the fact, of which we have had some evidence, of emigrants having engaged their passage in one ship being suddenly, without notice, taken away and put on board another?—I have heard of it frequently, and would suggest, that when a broker breaks faith in this way with a passenger, that he should be bound to furnish the Government emigration agent with the name and registered tonnage of the ship he substitutes under a penalty of 10*l.*

4856. Has your attention also been drawn to the subject of detention money; do you consider it sufficient for passengers who are delayed before embarkation?—I should increase the detention money to at least 1 *s.* 6 *d.* a day.

4857. From 1 *s.*, which it is at present?—Yes. I do not know whether it comes within the scope of this Committee, but I think intermediate and cabin passengers should also be protected.

4858. Mr. *Peel.*] What class of passengers do you mean by intermediate passengers?—Second class are intermediate.

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4859. Are they not included in the protection given by the Act?—They are entitled to 1 *s.* a day detention money. The second-class passengers should be entitled to 4 *s.* a day, and the chief-cabin passengers to 7 *s.* a day. I know that very great inconvenience arises often to second-class passengers, who are in a better rank of life, but who cannot afford to sustain themselves when the ship is delayed.

4860. But they are not excepted, like cabin passengers, from this provision of the Act you are now referring to?—They are entitled to 1 *s.* a day.

4861. Which cabin passengers are not?—Cabin passengers are not, I conceive. I think cabin passengers should be also protected.

4862. *Chairman.*] Do you think the ordinary between deck passengers should have 1 *s.* 6 *d.* a day?—Yes.

4863. You have been connected with emigration for upwards of 20 years; do you recollect the working of the system under which a bounty was given for the emigrants carried out?—Yes; my first connexion with it was in 1831, when the first ship full of female emigrants for Australia was sent from the port of Cork.

4864. Had you the sending of them?—My father and myself acted as honorary secretaries.

4865. Mr. *Peel.*] Was that bounty offered by this country or the colonies?—That was not under the bounty system. The Colonial Secretary of that day took the matter up, at the suggestion of my father, and the females were all clothed by subscription at Cork; that was in the year 1831.

4866. *Chairman.*] How long did that bounty go on; when did it end?—My first connexion with the bounty system was in 1836 or 1837.

4867. When was the system done away with?—I think, in 1844.

4868. Mr. *Peel.*] Was the bounty a payment to the charterers of the ship, or to the emigrants, to pay their own passage?—To the charterers of the ship contracting with the colonial Government for taking the emigrants out, at so much a head, subject to certain rules and regulations framed by Her Majesty's Commissioners.

4869. *Chairman.*] From what ports?—I acted for ships going from Plymouth, from 1833 to 1840.

4870. Mr. *Peel.*] Are you aware that the bounty system gave rise to great abuses?—I am quite aware that it was not free from abuse; but in my own opinion there were many things very desirable connected with the bounty system.

4871. Do you not think that it was a great improvement to place the emigration at the public expense under the superintendence of the Government Emigration Board?—I would give the Emigration Commissioners the most unlimited control. I think there is a great deal to be said for and against the bounty. I think that if a respectable house feels that their position is dependent upon the way in which they take the emigrants out, not only as regards their treatment, but as regards their selection, that it is a very strong control, and that men will look very sharp when they find their payment depends upon the manner in which they conduct their business.

4872. Was this bounty only paid then to the charterers of ships upon the number of passengers they landed?—Landed in good health, to the entire satisfaction of a committee at Sydney or Port Philip, with whom the emigration agent was connected, and being fully satisfied they came within the rules and regulations as regards trade and occupation.

4873. Still it was a system which it was found necessary to supersede?—Yes.

4874. *Chairman.*] From 1837 to 1840 you say you were superintendent of emigration under that system at Plymouth?—Yes.

4875. Afterwards from what port did it proceed?—The port of Cork direct.

4876. What was the reason of that change?—My reason for resigning the agency I had was in consequence of the sufferings of the passengers proceeding as deck passengers, and from what I conceived to be the want of proper arrangements for their protection while waiting for the ship at Plymouth.

4877. Was the emigration you were connected with under that system, first from Plymouth and afterwards from Cork, in the hands of one firm, or of more than one?—The bounty emigration from Plymouth, when I acted, was conducted by Mr. John Marshall. The ships that were sent from Cork, under my superintendence, were chartered by Carter & Bonas.

4878. Mr. *Fagan.*] You were about explaining the reason of the alteration from Plymouth to Cork?—Carter & Bonas having sent ships from Plymouth up to 1840, and having consulted me, decided upon sending their ships from Cork. They sent 19 in 1841, and their experience of those ships, compared with those they sent from Plymouth in 1840, induced them to continue to send their ships from Cork as long as the bounty system lasted.

4879. What was the nature of the experience; you say "their experience" induced them to do so?—They found it more economical to send their ships from Cork, and more satisfactory in all respects, as they stated to me, and I am bound to believe so.

4880. Were the emigrants Irish emigrants?—No; the numbers that proceeded by those ships were about equal.

4881. Mr. *Peel.*] Were the arrangements on board ship precisely the same at both ports?—I cannot answer that, because I was not connected with Carter & Bonas when they sent their ships from Plymouth.

4882. *Chairman.*] Was there a depôt at Cork as well as at Plymouth at that time?—I established a depôt in Cork in 1841, which was the first thing of that kind that was ever established.

4883. How did you find it work?—Admirably.

4884. Captain *Scobell.*] Although those ships took in passengers at Cork, did they not arrive at Cork with some cargo on board?—I said that those ships which went direct from Cork took about half and half, an equal number of passengers.

4885. But they had a cargo from another port, and called at Cork for passengers?—Yes; they started from London.

4886. Mr. *Fagan.*] Did they bring half the passengers in the ship?—About half, not all; several joined from Liverpool by steamer, and also from Plymouth; but they always brought a considerable number direct from London.

4887. Were the Irish emigrants in depôt awaiting the arrival of these ships?—They were always received a week previous to the time of sailing; they were allowed to come to the depôt a week previous to the time of sailing.

4888. Of course, if Carter & Bonas considered it would be more economical to bring the Irish emigrants to Plymouth than to take the vessel to Cork for those emigrants, they would have done so?—Yes; that is a very remarkable proof of what they thought of the economy of conducting it from Cork, because the Irish emigrants going to join their ships, pay their own passage to Plymouth.

4889. Mr. *Peel.*] Do not the Irish emigrants now find it more economical to go to Liverpool, in order to get to America?—I am quite satisfied that all the Irish emigrants would sail direct from their own ports if they could; but it must be remembered that most of those parties proceeding now, are sent for by their friends through Liverpool houses, so that they have no choice on the subject.

4890. Is it not more economical to the shipowners to despatch their vessels from Liverpool, instead of ordering them to call at Cork, or any other Irish port, to take on board Irish emigrants?—I think as long as Irish emigrants can be conveyed to Liverpool at a low price, in the inhuman manner in which they are at present taken, it is more economical.

4891. Are you not aware that Irish Government emigrants are conveyed to Liverpool by the Emigration Commissioners, with every proper attention to their health and comfort, for the purpose of being sent to Australia?—I am perfectly satisfied that the Land and Emigration Commissioners think that the accommodation at present given to Government emigrants proceeding to Liverpool is what it ought to be, but I am equally satisfied it is not.

4892. Mr. *Liddell.*] You stated that as long as emigrants can be conveyed with extreme cheapness in the inhuman manner in which they are at present conveyed to Liverpool; to what parties do you intend to apply that expression, "inhuman manner"?—I apply it to the system in which they are carried, and the total want of shelter and protection.

4893. Do you mean that they are so carried when conveyed to Liverpool for the purpose of starting on a distant voyage, or for the mere purpose of coming over to this country?—I mean emigrants proceeding from the port of Cork, with which I am best acquainted, to the port of Liverpool.

4894. Do you mean that those emigrants go there for the purpose of being re-shipped for America or Australia, or that they go over for the purpose of finding

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finding work or employment in this country?—I speak of emigrants altogether.

4895. The whole class?—The whole class of deck passengers proceeding to Liverpool.

4896. After all, this is a voluntary act on the part of these parties?—I do not not consider it altogether so.

4897. Why not?—Because the order comes from America to the parties to proceed to Liverpool to ship, and these parties coming from the interior of the country have no idea what a deck passage is, or what they have to suffer. I am quite sure that nine out of ten have never seen a steamer, and have not the most remote notion of what a deck passage means.

4898. This at least does not apply to parties who come to Liverpool, or who come to this country for the purpose of finding employment in this country?—I am only speaking of emigrants.

4899. But you spoke of others?—Then I did not mean it.

4900. The question was distinctly put to you, whether the parties who in your own words were subject to inhuman treatment, included the parties that come over to this country in search of employment as well as those who went over to America?—Most certainly they must suffer as much.

4901. And you said that your observation extended to both parties?—Yes.

4902. But at least it is a voluntary act on the part of those who leave Cork to come over to this country; they need not leave their own country if they did not think there was something better for them in England?—Certainly not.

4903. And they know perfectly well the manner in which their passage must take place?—I am perfectly satisfied that they have not the most remote notion of what they will suffer, or what a deck passage is.

4904. *Chairman.*] If they did know it, would that be a reason for Parliament not interfering to compel some shelter, inasmuch as Parliament has interfered to protect factory children, and other ignorant and helpless parties from ill treatment?—I cannot see why Government should not afford the same protection to emigrants proceeding in steamers as in emigrant ships.

4905. Mr. *Liddell.*] The words "inhuman treatment" have rather a strong interpretation, and I was anxious to know to what parties those words applied?—From my knowledge of the many painful facts that have come under my own observation, I do not think I could use an expression more appropriate.

4906. In the meantime, do you think that a greater amount of comfort and accommodation could be given to these parties, on their passage, without higher charges being exacted from them for the increased accommodation?—I do, and I will give my reason: a ship called the "Telegraph," belonging to the Belfast Steam Company, came to the port of Cork some time ago, with the view of opposing the Cork Steam Ship Company, in consequence of some misunderstanding or dispute between them on another line, and the fore part of that ship was fitted up for the class of passengers I now speak of, in this way: there was a range of seats all round, cross seats, and in the centre a stove, and further on to the bows of the vessel a small room, about 12 feet square, in which there was another stove, and a table for the purpose of serving out the food or hot water during the passage across; and the charge by that steamer was exactly the charge made by the other company for a deck passage.

4907. Does that steamer ply still?—No.

4908. Why not?—The opposition was arranged, and the boat was withdrawn.

4909. Did the opposition on the other line profit by the example given by the "Telegraph" in increasing the accommodation and comfort?—Not in the slightest degree; there was no change made.

4910. How, then, did it happen that the parties who voluntarily embarked from Cork to go to another land did not choose a vessel in which there was the best accommodation?—Do you speak of the "Telegraph"?

4911. Yes?—The "Telegraph" only made two voyages from Cork before the opposition was withdrawn, and the difference arranged; but on those two occasions, with the exception of those who had booked with brokers at Cork for Liverpool, and were obliged to go by the other company, inasmuch as the brokers supposing, and justly supposing as the matter proved, that this difference would be healed, did not like to send the parties by that boat for fear of making enemies of the company.

4912. What are the two companies that are so gone together?—There is only one company now, the Cork Steam Packet Company.

4913. Is that connected with the Liverpool company?—No, they are quite distinct.

4914. Then the Cork Steam Packet Company exclusively belongs to the town of Cork?—Yes, I believe so; I am not aware that there are any partners connected with the company, except Cork people.

4915. Captain *Scobell.*] What provision would you suggest for doing away with what you call "inhuman conduct" in bringing them across?—I do not think any but between deck accommodation can remedy the matter.

4916. Sir *J. Anderson.*] Would you prohibit deck passages from Ireland or Scotland?—I would, except in fine weather.

4917. Are you not aware that thousands come over from Scotland and Ireland very comfortably on deck?—I have always laboured under the impression that they have proceeded in the very reverse way.

4918. Mr. *Peel.*] If that new line of steam-vessels had been a successful experiment, do you think the Irish emigrants would have continued to go to Liverpool in them?—I have no doubt of it.

4919. How then do you propose to divert the Irish emigration from Liverpool to Cork; you were understood to say, that were it not for the Irish emigrants being taken on deck, without any protection, that it would be impossible to take them so cheaply from Liverpool as from Cork?—I think if the number of passengers proceeding by steamer were properly protected or properly limited, as a matter of course the charge must be made higher; and I labour under the belief that, if the passage-money was raised, the American shipowner would then find it cheaper to allow his ship to touch at Cork and to take in the Irish emgrants, than to pay the additional charge that should be made.

4920. Captain *Scobell.*] Are there any vessels which load at Cork to go to America with passengers, after taking in a cargo at Cork, which then proceed with emigrants?—The emigrant vessels going from Cork are altogether engaged in the passenger trade, going out with passengers, and bringing home timber.

4921. They go out without any cargo but passengers, and they bring home timber?—Yes.

4922. Are you aware that the mass of the Liverpool emigration is in vessels which take a certain portion of cargo?—Yes.

4923. And if in the winter they were constrained to call at Cork for passengers, do you not think that occasionally, in bad or thick weather, it would cause several days' delay, perhaps?—I do.

4924. And that detention would be an ingredient in the expense of getting to America afterwards?—I do.

4925. *Chairman.*] But you are distinctly of opinion that there is not proper protection for health or life at present on the decks of those steamers?—I know there is not.

4926. Sir *J. Anderson.*] Do you make no exception as to the state of the weather, or the season of the year; do you mean that observation to apply to the whole year?—I think in fine summer weather a certain number may be allowed to go on deck, perhaps.

4927. When they come over to this country, do not they come very frequently in large numbers, and in a very comfortable state?—I do not conceive that they come in a comfortable state.

4928. Have you ever seen them arrive in England from Ireland or Scotland?—I am satisfied, from the numbers proceeding, that, if any accident should occur from the want of a sufficient number of boats, the loss of life must be very great.

4929. Have you ever seen a cargo of Irish reapers arrive from either Ireland or Scotland in England in the autumn?—I saw 1,100 emigrants leave Cork once.

4930. Have you ever seen a vessel with these people arrive in this country after the voyage?—I have seen them arrive at Liverpool and at Plymouth in a state that no language can describe; it should be seen to be believed.

4931. Was that in good weather?—No; it was in winter.

4932. *Chairman.*] But with reference to the weather, these passages sometimes take 24 hours and upwards, and there may be many changes of weather during

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that period?—I have known bad weather at a season of the year when you would least expect it.

4933. Mr. *Peel.*] Do you include in your observations Government emigrants, who are provided with shelter on board these packets?—I have known Government emigrants below to ask permission to leave the between-decks, from the smell of the pigs occupying part of the same place with them.

4934. Of what time are you speaking?—I have known that to occur within the last 12 months.

4935. *Chairman.*] So that the merciful intentions of the Commissioners in providing shelter in the Cork steamers are actually defeated by the nature of the cargo, pigs, cattle, and so forth; is that the case?—I am bound to state, from what has come under my knowledge, that that accommodation is not what it ought to be.

4936. Mr. *Peel.*] You refer to the evidence given by Mr. Duross; are you aware that Mr. Duross stated that within his knowledge no instance of a death had occurred on board these vessels?—I think that he said it did not, to his knowledge. It has occurred within my own knowledge.

4937. *Chairman.*] Do you think generally that there is a sufficient opportunity for emigrants to obtain information; is there any office, in Cork or elsewhere, where they can obtain full information as to the preparation they should make for emigration, or the ports they should go to; have you any suggestions to make on that head?—There are Government offices at Dublin, Cork, Limerick, and all the ports from which emigrants go. I can only speak of the port of Cork within my own knowledge, but I am bound to state that Captain Friend, who filled the responsible office for over 20 years, did his duty in every respect.

4938. Captain *Scobell.*] Would you prohibit animals alive being brought across in those vessels which carry emigrants from Ireland to England?—I would, decidedly.

4939. Mr. *Hankey.*] Would not that enhance the price of the passage?—Certainly; and the result, in my opinion, would be, that the ships now sailing from Liverpool would touch at Cork in preference to paying the extra expense, and then the emigrant would be carried as he ought to be.

4940. Mr. *Peel.*] Are you aware that in emigrant vessels live animals cannot be taken as cargo?—Yes.

4941. The Passengers' Act does not at all refer to the voyage you are now speaking of, does it?—No; I regret very much that it does not.

4942. *Chairman.*] Have you seen many of the evils connected with the runner system; and is there any remedy which you would propose?—Yes; nothing can be more shameful than the frauds practised by those people.

4943. Mr. *Peel.*] Are you speaking of their practices at the present time?—Yes; and I would suggest as a remedy, which would to a certain extent check it, that each of those men should be obliged to wear a conspicuous badge, bearing his employer's name, which would make him easily detected by the police.

4944. Are they not now required to have the written authority of some broker in order to act as runners?—They are; but I am quite satisfied the other would be a much better remedy. I would make the lending of his badge to anybody punishable by a fine of 5*l.* or imprisonment. I am satisfied that that simple arrangement would be much more effective than any written authority from the brokers, many of whom, in my opinion, are not much better than the runners themselves.

4945. Still every runner must now be licensed to act as such?—He must; and I think the badge would be a great improvement.

4946. Captain *Scobell.*] So that if he did anything illegal or harsh, he might be known by his number?—Exactly; it would make him so conspicuous that he would be much more careful than without it.

4947. Mr. *Hankey.*] You stated that, in your opinion, the 1*s.* was not sufficient for detention money; will you state your grounds for coming to that conclusion?—From the cost of lodging and maintenance.

4948. You think it is not adequate?—I am sure it is not.

4949. And you recommend, therefore, 1*s.* 6*d.* as the minimum price to be allowed for detention money?—Yes.

4950. Would not that necessarily tend to enhance the price of the emigrant's passage?—

passage?—My impression is, that the raising of that price would make the ship-broker much more careful at the time he advertises the sailing of the ship.

4951. The question was, would not the raising of the price of the detention money tend to enhance the price of the passage money?—It may have that effect.

4952. Do you think that would be a desirable thing?—I think it would be productive of such security to the emigrant, that it would be to his advantage even if it did raise the price a little.

4953. Captain *Scobell.*] It would not enhance the price if it shortened the period of detention?—No; my opinion is, that the severer the penalty for detention the more particular the charterer would be in despatching his ships to the time.

4954. Mr. *Hankey.*] Do you know whether the shilling a day for detention money is not quite as much as the expense of keeping an emigrant per day on board?—I dare say it is.

4955. Then the shipowner or broker has now a motive in expediting, because he is paying a larger sum than it would cost him to keep the emigrant?—The emigrant could now, if the shipowner was in a position to let him do so, go on board ship, and not receive the shilling a day, and get the articles given by the Passengers' Act; but I think where the broker is not in a position to do that, it is not fair to put the emigrant to a greater expense than a shilling a day.

4956. Do you not think that the penalty of a shilling a day is a sufficient motive to induce a shipowner to send his ship to sea as speedily as he can?—I think 1*s.* 6*d.* would be a stronger motive.

4957. *Chairman.*] Have you any other suggestions which you wish to make before concluding your evidence?—I have only, in conclusion, most respectfully to express an anxious hope that this Committee may succeed in establishing a full scale of dietary for the American emigrant, and between deck accommodation in the steamers, fully convinced as I am, from my experience, that suffering and loss of life must be the result if the present system be continued.

4958. Captain *Scobell.*] You have been asked if you had any scale of dietary to suggest from your experience, and you said that you had not. If you have, would you like to submit any scale of dietary which you think fit for the passengers you speak of?—I have only to repeat my opinion that the scale adopted by Her Majesty's Land and Emigration Commissioners would be the one best suited.

4959. Sir *T. Herbert.*] You have stated that the 1*s.* a day you think is not sufficient for a man and his family who could not go on board; do you know of your own knowledge whether the emigrants have to spend any of their own money in addition to the 1*s.* a day?—I have frequently heard them say they have.

4960. Is not that a proof that it is not adequate?—Yes.

4961. Mr. *Peel.*] Do you speak from any knowledge of the Commissioners' dietary scale; do you know what the dietary scale is?—Yes; I have frequently read it.

4962. In what respect does it vary from the Parliamentary scale?—It is much more ample.

4963. Have you ever compared it with the dietary scale afforded by the owners of emigrant vessels to Australia?—Yes.

4964. Do you think it a preferable scale to their scale?—I consider it a better scale than many of the dietary scales given in the steerage of Liverpool ships.

4965. You are speaking of ships going to Australia?—Yes.

4966. You have turned your attention to this subject?—Yes, I have; and I am quite aware of the fact that that scale has been arrived at after consultation with all their medical men. I happen to know a good deal, although not connected with the Commissioners; I have had very many opportunities of obtaining information from many of the medical men who have acted for them, and who go in their ships; and I am bound to believe, from their long experience, that they have arrived at a scale best calculated to preserve health; and my reason for recommending that to be adopted in the American ships is this, that the same class of people who proceed as Government emigrants, go to America as steerage passengers. I am free to confess that I cannot see why the emigrants proceeding to America should not be as well fed as the passengers going to Australia; and I labour under the conviction, from the variety of expenses the emigrants are subject to previous to embarkation, and the wholesale plunder committed on them, that they would proceed much cheaper if the shipper was bound to find

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that scale of dietary, although it is so much more ample than that allowed now.

4967. Would you compel the adoption of the same scale in all vessels, whether going to America or Australia?—I would, with respect to steerage passengers.

4968. As to the minimum?—Yes.

4969. You would not prevent, what sometimes happens, a fuller scale being offered?—No, most certainly not.

4970. Sir *T. Herbert.*] What is the cost per head of removing the emigrants from Cork to Liverpool?—You can proceed from Cork to Liverpool as a cabin passenger in the saloon, with the attendance of a steward or stewardess, and every comfort, for 17*s.* 6*d.*, while the poor man is charged 10*s.*, and is not accommodated even with sitting-room, shelter, care, or the commonest protection.

4971. Captain *Scobell.*] If that is an extravagant price, and therefore there is an undue profit to the owners of the vessels, what prevents competition keeping down the price?—I cannot answer that; the Cork Steam Ship Company is a very powerful company.

4972. Do they find any provisions for the 10*s.*?—They find no provisions, and so great are the numbers taken, that in the finest weather it is positively impossible that they could even get food or a drink of warm water, so crowded are the decks, and so utterly impossible, from the cattle and pigs, and the state of the deck, for the passengers to get near the cooking apparatus.

4973. What is the average length of the passage from Cork to Liverpool?—from 24 to 30 hours; it is frequently 36 hours in bad weather.

4974. Mr. *Peel.*] Would you propose to bring that voyage within the Passengers' Act?—Most decidedly.

4975. Are you prepared to bring all coasting voyages within the Act also?—Yes, I would.

4976. You would not allow any vessel to leave one port of this country for another, without being subject to the inspection of the emigration agent, and all the other restrictions of the Act?—Decidedly; my impression is, that if such were made the law of the land it would prevent great suffering, much greater than there can be the least conception of.

4977. Although the voyages are so much shorter than a voyage to a colony or a foreign country?—Yes; I firmly believe that the emigrants suffer more going from Cork to Liverpool than from Liverpool to America.

4978. Do you not think that the circumstance of a voyage being only a day long is a reason why it should not be brought under the Act?—Not the slightest.

4979. You think the same protection is required in a voyage of one day as in the case of a voyage of six months?—I do.

4980. *Chairman.*] Your object is to get protection for the passengers, and it is a matter of indifference to you whether it is under the Passengers' Act or under an amended steam-vessels Act?—I would place the protection of the emigrants altogether under the Passengers' Act. If steamers have 500 passengers on one occasion, 700 on another, and 800 on another, there is nothing to oblige them to have a greater number of boats on board. Supposing an accident occurred, what must be the result?

4981. Captain *Scobell.*] Have the numbers which have come to England, not to emigrate, but for work, increased or decreased within the last 12 months, or for any given time?—I could not answer that question.

Mr. *Samuel Whitney Richards*, called in; and Examined.

Mr. *S. W. Richards.*

4982. *Chairman.*] WHAT is your occupation?—It includes a variety of pursuits. I am the President of the Church of Jesus Christ of Latter Day Saints in Great Britain, attending to all their interests.

4983. With regard to your temporal occupation, you have a great deal to do with emigration?—I am an authorised agent and passenger-broker.

4984. The Committee have been given to understand that there are circumstances connected with the Mormon emigration, which I believe is one of the denominations of your particular form of faith, in which that emigration is more regulated

regulated in detail than under the provisions of the Passengers' Act; is that the case?—Yes, in many respects.

4985. In what particulars mainly are there differences between your regulations and the regulations under the Passengers' Act; of course you are aware of the Passengers' Act?—Yes; they do not vary in the main, otherwise than the regulations that exist among us from our organisation as a people, by reason of which the emigration of the Latter Day Saints from this country is not a subject of speculation to any one; therefore a great many comforts are provided for the emigrants which are not by agents generally, extra provisions, and so forth; and persons are appointed to superintend each company of emigrants, to take the general charge of them, who are acquainted with the principles of emigration, both upon this side of the Atlantic and on the other; so that they have those with them at all times who are prepared to protect them in their interests. Because of this organisation which exists, they are not subject to a great many inconveniences that others are; whereas it is the case among ordinary passengers that every one has to look after himself, or he is not looked after at all.

4986. Your object, then, is the health and comfort of the emigrants?—Decidedly.

4987. And in pursuance of that object you have found it necessary, or advisable, to exceed the regulations of the Passengers' Act?—Yes.

4988. In what particulars; with regard to the space allotted, what space do you allot?—So far as regards the space, it is precisely the same.

4989. Mr. *Peel.*] Do you hire any vessels that are tendered, or do you engage the same vessels always?—I engage any that are in port at the time I wish to ship, and are suitable for passengers.

4990. *Chairman.*] You cause alterations to be made, to suit your views?—I have heretofore had greater conveniences prepared on shipboard than others, by putting up seats along the berths.

4991. Mr. *Peel.*] Does the emigration you conduct proceed entirely from Liverpool?—Yes, entirely.

4992. *Chairman.*] What is the amount annually?—It does not exceed, now, 3,000 per annum.

4993. Do you allow any of your passengers to be stowed on deck in deck houses?—No, not unless there is a poop on deck.

4994. You mean poop cabins; but the question refers to temporary houses, or round houses, on deck?—No, not in temporary houses.

4995. Do you take up two-decked ships for passengers' accommodation?—No, never.

4996. Mr. *Peel.*] Is any preference shown in the selection of your emigrants; do you require any money payment from them?—In advance?

4997. Before they leave this country?—No more than the cost of their passage.

4998. Do you require them to pay the cost of their passage?—As other emigrants do, although I may say there is an exception, to a certain extent, to this, because the Society of Latter Day Saints have a fund by which they emigrate poor people from this country; therefore from them the cost of passage is not obtained, but is furnished from the perpetual emigrating fund.

4999. Are you very particular in the choice of persons you select, and for whom the payment is made out of this common fund you speak of?—Yes, they are parties who can be well recommended as moral characters and industrious people, mechanics who will be well qualified to increase and enhance the interests of the community they go among.

5000. Must they have been enrolled in your body any particular length of time before they can claim the benefit of the common fund?—Not any particular time.

5001. Do they enter into any pledge to attach themselves to that society in consequence of receiving a passage at its expense?—No; of course they enter into an obligation to refund, after they have arrived at their journey's end, the cost of their passage.

5002. They do not make these payments you speak of in advance?—They do not, so far as this fund is applied.

5003. If they receive anything out of this common fund, they are bound

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to repay it after their arrival in America?—When their circumstances will allow them.

5004. Do they enter into any legal obligation capable of being enforced in America?—They sign a writing to the effect that they will do so.

5005. *Chairman.*] Enforceable by the laws of America?—One that might be enforced by the laws of America.

5006. Mr. *Peel.*] Within what length of time do they undertake to repay the sum advanced?—There is no time specified further than those terms, as soon as their circumstances will justify them.

5007. Would your society undertake the business of a general emigration society for any persons who chose to offer themselves for passage in your ships?—They would not at present, because their object is to emigrate the members of their own society; that is their wish.

5008. Is there any formality of admission into the society before members in this country can claim the benefit of the fund?—No further than personal acquaintance with character; having persons who can recommend them, and who are well known to the society.

5009. *Chairman.*] And a community of religious opinions?—Yes, of course.

5010. Mr. *Hankey.*] Do you send any persons who are not of your religious persuasion?—Yes, we send out many who are not; many are sent for by their friends who are already in America.

5011. If a person was to apply to you specially recommended, and no way connected with your religious society, would you entertain an application from him to go out to America?—There have been instances of that kind.

5012. They are exceptions?—Yes.

5013. Mr *Peel.*] As a general rule, the passengers on board your vessels are Latter Day Saints?—Yes; there are others who do emigrate with them to a greater or less extent; the care, attention, and comfort that are experienced from the organisation have become known to many, who prefer to accompany them on that account.

5014. Mr. *Hankey.*] What is the largest number that you have ever sent out in one ship?—Four hundred and ninety-five is the most in one ship.

5015. Captain *Scobell.*] What is the cost of passage per head from Liverpool to New Orleans?—It varies from 3 *l.* 12 *s.* 6 *d.* to 4 *l.*

5016. When you land them at New Orleans, do you make any arrangements for taking them anywhere else?—Yes; the person who has charge of the company in crossing the sea, sometimes continues in charge, and makes arrangements for them passing up the Mississippi river, and to continue their journey to Utah Territory.

5017. Is that expense included in the passage-money, or is that a fresh charge? That is a fresh arrangement.

5018. Mr. *Peel.*] Are any religious services enforced on board these vessels?—Generally very strict.

5019. *Chairman.*] Are those who are not in communion with you, obliged to attend those services?—No.

5020. Mr. *Hankey.*] What is the nature of the religious observances on board the ships?—Similar in most respects to other societies; preaching, prayer, and singing.

5021. Mr. *Peel.*] You do not require non-communicants to join?—No.

5022. *Chairman.*] With regard to the number of 450, in what proportion do you supply surgeons to your vessels; for what number of persons do you consider it necessary to have a surgeon?—In all cases where the law requires them to be supplied, and in many other cases where the law does not; when I have persons of that description who are emigrating, I distribute them generally so that there will be one or more, if possible, in each ship.

5023. How much beyond the law do you go? Do you give a surgeon to 200, or 250, or 300 emigrants; have you a surgeon in every ship?—No, not in every one.

5024. What number of emigrants would you allow to go without a surgeon?—In case I had no surgeon who wished to emigrate in company, I would allow any number under what the law required.

5025. Supposing you could have surgeons, would you put them on board every vessel?—Yes, if I had them.

5026. Mr. *Peel.*] Do you allow married persons and their families to go on board your ships?—Yes.

5027. Have you any limit as to the number of children?—No.

5028. *Chairman.*] Except the Passengers' Act limit?—Yes.

5029. Mr. *Peel.*] Do you observe all the requirements of the Act with regard to the separation of the passengers on the main deck?—Yes, in every respect; the young men are berthed separately from the other people.

5030. Do you provide a separate compartment for the single females?—No; they are generally berthed in families; sometimes they are berthed in a portion of the ship more by themselves.

5031. Your vessels never sail without the inspection of an emigration officer?—No.

5032. *Chairman.*] Are the bulkheads louvred between the young men and the married families?—It is open sufficiently for the circulation of air at the top; otherwise it is tight.

5033. But not so as to allow of their easily seeing each other?—No, not as a general thing.

5034. Now with regard to water-closets?—I make no further requirement than what the law enforces in that respect.

5035. Then you have them on deck?—Yes.

5036. Mr. *Peel.*] Have you any particular regulations with regard to the number or selection of the crew?—No; I pay no attention to that.

5037. Are the crews required to be members of your community?—Not at all.

5038. Nor the captain?—Never; they are scarcely ever.

5039. Has any mortality occurred on board your vessels?—Very little indeed.

5040. Has there been any instance in which the mortality has been considered by you to be excessive?—I do not remember any ship at the present time that has exceeded the number of 10.

5041. *Chairman.*] Ten out of what gross number?—Say from 400 to 500.

5042. Mr. *Peel.*] Were those deaths caused by disease entirely?—A portion; in that case two or three were caused by the small pox, otherwise children; and sometimes one or two aged persons.

5043. *Chairman.*] Have any of your intending emigrants been brought to Liverpool from Scotland or any Irish ports by steamers?—Yes.

5044. Did they come exposed on the deck of a steamer?—They have done so; but I have taken measures to put a stop to that plan, and, as far as possible, to adopt the system of their coming by railway, where they can.

5045. Why did you take those measures?—Because of the unpleasantness and severity of the passage they endure, and the inconvenience of being on deck.

5046. The exposure?—Yes; it was very injurious to them, and in many cases probably worse than the entire voyage across the Atlantic.

5047. Captain *Scobell.*] Are you the agent at Liverpool?—Yes.

5048. Have you any other agents in the districts of England for collecting your passengers?—No.

5049. How do you advertise; do you circulate information among the population to induce them to come; how do you draw them to you?—The emigration of our people is periodical; it is all done in the winter months, January, February, and March.

5050. What are the means by which you inform persons that there is such an opportunity, and the nature of it?—I publish a paper in Liverpool, which is extensively circulated.

5051. A newspaper?—A periodical called "The Millennial Star;" that is circulated among all the denomination very extensively, and in that every communication is made which is necessary.

5052. Mr. *Peel.*] Are you a native of this country?—No, I am an American.

5053. Captain *Scobell.*] What is the circulation of that paper per week or per year?—It is from 17,000 to 20,000 a week.

5054. What is the price of it?—Only a penny.

5055. *Chairman.*] With regard to your emigrants, when they come are the ships always ready for them; if not, what do you do with them in the interval?—Generally I have a ship ready for them to go on board the next day after their arrival in Liverpool.

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5056. What do you do with them that one night?—They generally go into lodging-houses.

5057. Do you give them subsistence money?—Not unless they are detained after the time advertised for their sailing.

5058. What then do you give them?—One shilling per day.

5059. Do you consider that is sufficient for them?—No, I think not.

5060. Mr. *Peel.*] Have you ever known an instance of an emigrant declining to go in consequence of finding, when he got on board, peculiar religious observances were required?—Not in any one case.

5061. Captain *Scobell.*] What classes do you generally get the majority of in your society; are they agricultural, or manufacturing, or what?—Some of all classes.

5062. Is there any predominating class?—None particularly; mechanics generally predominate.

5063. You prefer mechanics?—We prefer either who are honourable men.

5064. Mr. *Hankey.*] You attach more importance to character than to either trade or calling?—Yes, character is the principal thing.

5065. Captain *Scobell.*] How long have you been agent at Liverpool?—I have only been an authorised agent a little over two years.

5066. Mr. *Peel.*] What is the extent of the annual disbursements from this common fund for the purpose of emigration?—It has not been great as yet; it has only been in operation for two or three years.

5067. Have the payments made out of it been replaced?—No, not yet; it requires two years at least to have the amount re-couped.

5068. *Chairman.*] With regard to dietary, do you improve on the scale laid down in the Passengers' Act?—I increase it.

5069. In what particulars mainly?—I supply butter and cheese, and a variety of such things as I think tend to the comfort of the passengers.

5070. Do you supply meat?—Yes, I supply meat.

5071. Meat is not in the scale in the Passengers' Act?—No.

5072. Mr. *Fagan.*] Do the passengers take any provisions themselves?—Yes.

5073. Mr. *Peel.*] Do you take the control of the passengers out of the hands of the master, and place it in the charge of any other person deputed by yourself?—Not out of the hands of the master; he is supposed to have the entire control on ship board; but in all cases he finds he can safely trust the general charge of the passengers to that individual.

5074. Do you withhold the payment due to him till you have ascertained that the voyage has been satisfactorily completed?—No; I pay on the departure of the ship from Liverpool.

5075. You have no means of withholding the payment in the event of your having proof of misconduct on his part?—No.

5076. *Chairman.*] Have you any machinery on the other side of the Atlantic to ensure you a report as to the exact condition of the ship and passengers on their arrival?—Yes.

5077. That you can depend on?—Yes; I have an authorised agent, who acts in concert with me at New Orleans.

5078. Does he visit the ship before the passengers disembark?—Yes.

5079. And makes his report to you?—Yes; he reports to me in connexion with the president of the company.

5080. Mr. *Hankey.*] Where are the funds supplied from that you use when you aid emigration?—They are supplied to a great extent from Utah.

5081. Captain *Scobell.*] Do you act under a specific authority from somebody there?—Yes.

5082. And have you any written or printed instructions to guide or control you?—Not in all the minutiæ of my business; I have letters of appointment and recommendation and authority to act.

5083. Any instructions for your guidance here as to the kind of persons or the mode in which you should collect them?—Not particularly.

5084. Are you the chief person representing the Latter Day Saints as their agent in England?—Yes.

5085. Are there any others under you at all, sub-agents?—Not in reference to the subject of emigration particularly; there is an organisation existing throughout the whole country; it is organised into conferences, that is, certain districts, and each of those districts has again a president, who has the general charge of

of the interests of the members of the society in that district. This organisation is carried on through England, Scotland, Ireland, and Wales.

5086. Mr. *Peel.*] Is Utah a distinct territory of the States?—Yes.

5087. It is not a State?—No, a territory.

5088. Is there any established religion in that territory?—No, all religions are tolerated, and are equally free.

5089. *Chairman.*] You have not there suffered any persecution?—No.

5090. Captain *Scobell.*] You are about 30,000 there?—Probably from 40,000 to 50,000.

5091. Then they have increased lately?—Yes.

5092. Mr. *Peel.*] Is there no dominant religion in that territory?—The Latter Day Saints are the greatest in number, but there is the same liberty as far as law is concerned to all religions.

5093. And as far as franchise is concerned?—Yes.

5094. Are any of the authorities professors of other religions than that of the Latter Day Saints at the present time?—Authorities politically?

5095. Yes?—There are men sent there by the Government of the United States, who hold offices, and who have no connexion with us.

5096. The elective offices of the state?—There are those of that kind who do not belong to the church.

5097. Mr. *Hankey.*] You stated you were president of your society in Liverpool. Are the presidents in the other towns in England appointed in the same way that you are?—No.

5098. How are they appointed?—They are all subject to my appointment.

5099. Are you the supreme authority in England?—Yes.

5100. Over the other agents in England?—They are subject to my counsel and direction.

5101. Do you make their appointment?—Yes.

5102. And are they paid?—No.

5103. Captain *Scobell.*] They all make reports to you?—I have reports twice a year regularly.

5104. Sir *T. Herbert.*] Do they receive any remuneration for their work?—Only what is freely given to them by the people among whom they labour.

5105. Captain *Scobell.*] So far as this year has proceeded, is the emigration of the Latter Day Saints likely to be larger than it was last year?—No; the emigration season is past for the present year; it was last January, February, and March, and there will be no more until another January arrives, and what it may be then will be governed by the circumstances of the people.

5106. What was it last January, February, and March?—It amounted to 2,702.

5107. Mr. *Peel.*] Do you consider the bulk of the professing Mormonites who leave this country under your charge to be an educated and intelligent class of people?—A very intelligent class of people, from the advantages they have had in life.

5108. Have they generally been educated in the schools of this country?—Most of them have had a good school education, but not in the higher institutions.

5109. Mr. *Hankey.*] Do you make any condition about their reading and writing, and do you take any pains to ascertain what amount of education they have had before you enter into arrangements for sending them away?—Not particularly.

5110. Mr. *Peel.*] Have you any proselytising agents in this country?—I might say we are nearly all so.

5111. You have no co-ordinate authority with yourself, either in temporal or in religious matters, in this country?—Not occupying the same position; but those presidents that I spoke of are spending their time mostly among the people advocating the principles of the Latter Day Saints.

5112. Do they hold out any temporal attractions to them?—No.

5113. Such, for instance, as grants of land in Utah territory?—No.

5114. Captain *Scobell.*] There is no special grant of lands to individuals in Utah?—

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Utah?—There has been no law enacted with reference to that by the United States Congress.

5115. Do you hold religious meetings at Liverpool, and do the agents also that you appoint in other districts hold religious meetings in those places?—Yes.

5116. Gatherings?—Yes, more particularly perhaps than any other religious society.

5117. And from what occurs at those meetings, you determine upon whom you will take as emigrants?—No, not particularly at those meetings.

5118. You would not take the emigrants whom you did not believe had conformed to your religious views?—Yes, we would.

5119. You would not take an utter stranger if he came and offered to emigrate with you, and said nothing on religious subjects, or would you take him like another man?—Yes.

5120. Mr. *Peel.*] Are any bounties as a share of this common fund offered to new converts?—No.

5121. Is it a condition of conversion that they shall leave the country within a certain time?—No.

5122. You are content to have branches of this community permanently resident in this country?—They are so. The people, so soon as they become acquainted with the general prosperity of the people in Utah, prefer to emigrate there when their circumstances will allow them.

5123. Is it part of your system that there shall be an exodus sooner or later of the members of your community?—Yes, it is advised; it is authoritatively advised that the people should emigrate and gather to the main body.

5124. Captain *Scobell.*] What is the distance from New Orleans to Utah, taking water and land together?—About 3,000 miles.

5125. Sir *T. Herbert.*] What is the expense from New Orleans to Utah? You mentioned that it would cost from 3 *l.* 10 *s.* to 4 *l.* to go to New Orleans; what is it further?—It has been considered that a family together could go there for 20 *l.* each.

5126. From New Orleans to Utah?—That they could go from this country to Utah for about 20 *l.* each person.

5127. Mr. *Hankey.*] That is to say, man, woman, and child?—Yes.

5128. Mr. *Peel.*] Do you desire your emigrants to sign a declaration of adhesion to your religious persuasion before they go on board your ships?—No; they are just as free in that particular as any other body of people.

5129. Mr. *Hankey.*] For a family consisting of five persons it would cost 100 *l.*?—Yes, very nearly.

5130. Five hundred dollars?—Yes.

5131. Captain *Scobell.*] Then your emigrants would be persons of more means than the persons who usually emigrate in the ordinary way?—Yes.

5132. Not mere day labourers?—Many of them are day labourers, who have saved money for the purpose of emigration.

5133. Mr. *Hankey.*] How would the expense be repaid of a person going from Liverpool to Utah; would you advance a family of five persons 100 *l.* to take them out, or what part of the sum would you require to be found by the emigrants themselves, and what part would the society find, supposing they were desirable emigrants who offered themselves?—In some cases they might not be required to find any portion themselves, but if they had means of their own they would be expected to consume those means.

5134. You have stated to the Committee that last season you assisted to emigrate about 2,702 persons, did you not?—Not by this fund; a portion of them went by their own means.

5135. But those 2,702 went under your superintendence?—Yes.

5136. Have you any objection to state to the Committee what was the total amount of the fund that it cost your society to assist this number of emigrants?—I could not state accurately what it was, because a great proportion of it was supplied on the other side of the water.

5137. Mr. *Peel.*] Are any remittances made by Utah emigrants to their friends in this country through your agency?—Yes.

5138. Is any portion of those remittances escheated for the benefit of the common fund?—No; they go only to the parties they are sent for.

5139. Entirely?—

5139. Entirely?—Yes, and are not appropriated to any others.

5140. Mr. *Hankey.*] You do not object to state, as far as you can, what amount of money has been spent in assisting this emigration last year, but you do not know it?—I do not know the exact amount; say about 18,000 *l.*

5141. Do you know what portion you found yourself from this country?—I should think I supplied about 4,000*l.*

5142. Mr. *Peel.*] Do you make any profit for the benefit of the common fund on the ships you take up for the conveyance of emigrants?—No.

5143. You make no charge on your emigrants beyond what the passage costs you?—There is a trifling advance made simply to cover any ordinary expenses that may be connected with the emigration; but all the amount of monies which are appropriated from this fund is spent directly for the benefit of the passengers.

5144. Do you consider that your work of proselytism is proceeding satisfactorily at the present time in this country?—Quite so.

5145. Mr. *Hankey.*] You stated to the Committee that the expense of the emigrant from Liverpool, before he arrived at Utah, would be about 20*l.* each passenger?—It will vary, more or less; but that is supposed to cover it.

5146. Would the cost from New Orleans to Utah be as much as 60 dollars per head?—It would in the outlay, because there is the expense of purchasing teams, and fitting up wagons for a thousand miles of overland journey.

5147. Could the ordinary class of emigrants arriving at New Orleans, with no other means than what they take from this country, be generally in a position to pay such a sum of money as that?—There are few others but those who are prepared to go through.

5148. Very few emigrate who have not the means of getting at their own expense to Utah?—Yes, unless they are provided for by the fund to get through.

5149. Mr. *Peel.*] Have you ever had occasion to avail yourself of the remedies of the Passengers' Act in a court of law?—No.

5150. Have you any improvements to suggest to the Committee for general adoption, in the conduct of emigration?—I do not know that I have myself particularly.

5151. As far as your experience goes, does the Passengers' Act appear to you to provide adequately for the comfort and safety of emigrants?—I think in respect to the amount of the detention money, that that should be more.

5152. What do you understand by detention money; do you mean money paid to passengers as remuneration for their being detained on shore, in consequence of the vessel not being able to proceed to sea, or where passengers are simply detained on board ship, she not being able to sail?—Passengers detained on shore.

5153. *Chairman.*] Have you any other point on which you wish to make a suggestion?—As I have already remarked, I think it would be very beneficial and conducive to the health of the passengers, to have a greater variety of provisions.

5154. Mr. *Peel.*] Do you mean a greater variety or a greater quantity?—Both.

5155. Captain *Scobell.*] You would recommend that they should have some meat?—Yes.

5156. Do you increase the dietary in your vessels so much as to make it unnecessary for the steerage passengers to provide anything for themselves?—I do not know that I should be safe in saying that it would be unnecessary; they mostly provide something for themselves.

5157. With regard to steerage passengers, is your dietary sufficient to enable them to do comfortably without providing anything for themselves?—I could not recommend passengers to go, even upon what I furnish.

5158. *Chairman.*] Although what you furnish is beyond what the requirements of the Act compel you to furnish?—Yes.

5159. Mr. *Peel.*] Is any common fund created on board each emigrant vessel?—No.

5160. Captain *Scobell.*] You have spoken of having religious meetings in different parts of this kingdom, and of yourself being at such meetings; have you any persons set aside to minister to them in religious matters, or is that a

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layman's business?—Those persons whom I spoke of as presidents of the districts, appropriate their time to ministering to the spiritual wants of the people, and many others under them most of their time.

5161. They are not exclusively given up to religious occupation?—Not necessarily, but they are not laymen.

5162. Mr. *Hankey.*] Do you attend to any other duties at Liverpool besides the spiritual care of the people, and during the four months to the emigration?—I am publishing, in Liverpool, a periodical.

5163. You are the editor of that periodical called the "Millennial Star"?—Yes.

5164. Have you got a copy of that publication with you?—No, I have not, but plenty of copies could be supplied in London, at 35, Jewin-street.

5165. It is published weekly, is it not?—Yes.

5166. Mr. *Peel.*] Do you provide a proselytising agent on board of each emigrant vessel?—No.

5167. No person specially deputed to look after the religious wants of the emigrants?—That is the principal object of the president that I spoke of, who goes in charge of the company.

5168. Is there a president on board each vessel?—Yes.

5169. Receiving his authority from you?—Yes.

5170. Is that authority recognised in the States?—No, only by the people he goes over with.

5171. Does it terminate on the conclusion of the voyage?—It terminates on his arriving on the other side of the Atlantic, where there is another agent to take the responsibility off his hands.

5172. Mr. *Hankey.*] Does he return, or are his functions at an end?—He more generally continues on to Utah with the emigrants.

5173. Does that person who acts as president on board the ship return generally to this country, or do his functions require him to go on with the emigrants?—His duties generally require him to go with them.

5174. How do you get fresh ones here?—There is an agent appointed at the other side whose business it is to prepare for the emigration, by purchasing teams, and so forth, for their overland journey.

5175. You do not understand the question. How do you provide that class of persons in this country to act as presidents in the vessel from Liverpool; from what class of society do you get them?—Many of them are those who have come from Utah to this country to spend a time in advancing the interests of the people here; and sometimes those are selected who are known to be men of integrity, who have become connected with the church in this country, and who may be emigrating.

5176. Mr. *Peel.*] Is the remuneration of these presidents measured by the number of converts they make in the course of the voyage?—No; they have no remuneration.

5177. Mr. *Hankey.*] Except voluntary contributions from the passengers?—Yes.

5178. They are repaid in that way?—They frequently receive nothing.

5179. Still they must live in some way by their calling?—Just so; but a passenger in a ship can give his attention to the interests of a company without any great expense to him by the way; it is only his time, which is spent with them, though he should not officiate.

5180. If he is not a person in independent circumstances to begin life with, he must have some means of living, as he would have no other means of being supported on the passage; unless he is paid by your community at large or the passengers, how is he to be supported; who pays his passage, for instance?—He is a person who is generally able to pay his own passage, and to go as other emigrants do, either from possessing property, or being assisted by those among whom his ministerial labours have been spent. He is only recognised as other emigrants are, so far as emigration is concerned.

5181. Mr. *Peel.*] Do you keep any record or require any reports of the manner in which they discharge their duties?—Yes, I have a report forwarded to me on the arrival of every ship on the other side.

5182. Do you require tabular returns of the religious persuasions of the parties on board these vessels?—No further than our own people are concerned.

5183. Captain

5183. Captain *Scobell.*] Have you ever had occasion, from those reports, to take any proceedings, to levy any fines, or put the law in force against the master of a vessel?—In no instance.

5184. Of the 2,702 you spoke of who went out in the three months of this year, can you say how many were English, Irish, and Scotch?—There would be about 200 Scotch, about 700 from the Continent, German and Danish, about 250 Welsh, perhaps not more than a score of Irish, and the rest are principally English.

5185. Mr. *Peel.*] Your principal field of operations is in Wales?—No, not more than in most parts of England, Scotland, and Ireland.

5186. You have not observed that your success is greatest where the education of the people is least?—No, not generally.

5187. Mr. *Hankey.*] What numbers does your religious community consist of in Liverpool; have you any statistics?—In Liverpool alone?

5188. Yes, in Liverpool alone?—Only about 500 in Liverpool.

5189. Do you know what numbers you have in the whole country?—Including children, it would be about 60,000.

5190. Is there any town where there are more than there are in Liverpool?—Birmingham, Manchester, Merthyr Tydfil, London, and Glasgow, number far more.

5191. Mr. *Peel.*] Do you keep any returns of their former religious beliefs; for instance, do you know whether your religion is principally recruited from the Church of England or any other church in this country?—Not particularly; it is more from dissenting bodies than from the Church of England.

5192. Sir *T. Herbert.*] Of the numbers that go out, are they principally male or female?—They emigrate in families altogether.

5193. Mr. *Peel.*] You cannot suggest any further alterations in the Act except the few suggestions which you have already made?—I do not know that I can, because I have not given my attention so extensively to the way in which other agents conduct their business.

5194. Do you think it a protection to your emigrants that your vessels should be inspected by the emigration agent?—Yes.

5195. Sir *T. Herbert.*] You know the Act?—Yes, I am aware of the Act.

5196. *Chairman.*] Have you any other suggestion to make for the amendment of the Passengers' Act, beyond those which you have already made?—I heartily approve of some suggestions which were offered by the gentleman who was examined before me, with reference to the passengers being conveyed by steamboats from one part of the country to another.

5197. On the decks of steamers?—Yes.

5198. You do so from your own experience?—Yes, and I have found that practice so severe that I have endeavoured to avoid it entirely.

5199. Is there any other point on which you wish to give evidence?—Not particularly, that I am aware of.

5200. Captain *Scobell.*] You said that they emigrate in families generally; do you refuse to take single men or women not belonging to families?—No.

5201. What proportion of them do you take that are not in families?—A very small proportion.

5202. Are they mostly females or males?—Quite as many males as females.

5203. Have you any particular instructions or desire to have more females than males in the emigration?—No, not any.

*Lunæ*, 29° *die Maii*, 1854.

MEMBERS PRESENT.

| | |
|---|---|
| Mr. Peel. | Mr. J. O'Connell. |
| Mr. Liddell. | Sir T. Herbert. |
| Captain Scobell. | Sir James Anderson. |
| Mr. Hankey. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

Mr. *John Edwards*, called in; and Examined.

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5204. *Chairman.*] YOU are a Shipowner and Shipbroker residing in Bristol, and a Member of the Chamber of Commerce?—I am.

5205. You have been deputed by the Chamber of Commerce to offer us evidence, I believe, as to the eligibility of Bristol as a port of emigration?—Yes.

5206. Mr. *Peel.*] Do you mean as a port of emigration for any particular class of emigrants?—Not any particular class; such a class as the surrounding counties abound in.

5207. You mean Government emigrants?—Yes.

5208. How would you propose to divert any other emigration from Liverpool to Bristol?—To take off a part of the burthen which oppresses Liverpool.

5209. Do you mean private emigration?—Government emigration.

5210. *Chairman.*] I believe you have been at sea for a number of years, and are competent to speak as to the port?—Yes; I have been 27 years in command of a ship at sea.

5211. Sir *T. Herbert.*] What trades were you concerned in?—Different trades; principally Charente and Bristol.

5212. Captain *Scobell.*] What are the ports you have principally sailed from, and what home coasts and channels have you been accustomed to?—From the Land's End to the Thames; from Queenstown to Liverpool; and from Queenstown to Bristol; three channels.

5213. You are familiar with the coast of the St. George's Channel particularly?—Yes. I should be fit for a coast pilot if it should be required.

5214. And the Bristol Channel?—Yes.

5215. I suppose you have not been in command of a vessel since it has been requisite to pass an examination?—No.

5216. You never were a branch pilot?—No. I may state that I never made a claim upon the underwriters during the whole time I was in command of a ship at sea.

5217. What is the largest vessel that you have commanded?—One hundred tons new measurement, 124 old measurement.

5218. Coasting vessels?—Vessels trading to France.

5219. Have you anything to state with respect to Bristol, as to the number of vessels which have sailed from that port in any given time, and the number of casualties from wreck, or getting on shore, or anything which shows it to be a port of safety?—There has been only one vessel lost in the Bristol Channel, with a pilot on board, for 13 years; we have a certificate of the haven master of the port to that effect.

5220. Of what size was she?—I think she was a ship.

5221. Mr. *Peel.*] Do you recommend Bristol as a port for Government emigration, on the ground of its safety?—Most undoubtedly.

5222. Do you think it advisable on that ground to remove to Bristol any Government emigration now proceeding from other ports?—It is very clear that there is much less risk in going from Bristol than there is from Liverpool.

5223. Have

5223. Have you examined the statistics of the Government emigration from the ports of this country?—No, I have not.

5224. Are you aware whether any of the Government emigration vessels have been wrecked?—I do not know as to the Government emigration vessels, but we have an account of several that have been wrecked.

5225. You propose to confine yourself to recommending Bristol as a port for Government emigration, as I understand?—Yes.

5226. Captain *Scobell.*] I believe you look to the port of Bristol as a general emigration port; it is now an emigration port for free emigrants, but you would wish to recommend it as a Government emigration port?—It would give an impetus to emigrants of all classes.

5227. Mr. *Peel.*] Are you aware of the fact that of 500 vessels, the whole number of Government emigrant vessels which have left this country, only two have been wrecked?—No.

5228. Are you aware that those two were wrecked in Australia, and not while leaving the ports of this country?—No.

5229. As there is no risk whatever attending Government emigration from the existing ports, is there any ground, with reference to the safety or presumed safety of the port of Bristol, for transferring the emigrants to that port from any other port, when you are told there has been not one Government vessel lost in leaving this country, and only two in Australia?—Although it has not happened that any vessels have been lost in going from Liverpool or any other port out to the Australian colonies, when I speak of Liverpool I must state that there is more danger attached to vessels going to and from there than from Southampton or Plymouth; the navigation is more free from Plymouth and Southampton than it is from Liverpool; but we have equal facilities at Bristol; vessels sail right away from Bristol to the Island of Lundy, where the sea is open, but the course of vessels going from Liverpool abounds with dangers.

5230. Still, as in point of fact no risk has attended the sailing of Government vessels from the existing emigration ports, is there any reason, on the ground of safety, for transferring the emigration to Bristol?—I do not think, because no accident has occurred, we should not endeavour to prevent any accident occurring at a future day. Although a man may run through fire a dozen times and not burn his clothes, it is no reason why he should continue to run through fire.

5231. Captain *Scobell.*] Your object is not to take away the emigration from Liverpool, but to take some of it to Bristol?—Just so.

5232. *Chairman.*] What is the district of country that you think would be convenienced particularly by the establishment of Bristol as an emigration port?—I will read from the Report in the memorial of the Bristol Chamber of Commerce; 745 parishes and 30 unions are stated as the numbers which have asked to have Bristol made an emigration port, which would facilitate their views in emigrating

5233. Mr. *Peel.*] Their convenience would be promoted by embarking from the port of Bristol?—Their convenience would be promoted by embarking from Bristol instead of Plymouth or Liverpool.

5234. Do you think that their convenience ought to be promoted at any sacrifice of an economical disposal of the Australian Colonial funds?—I should think any reasonable sacrifice ought to be made to accommodate those people.

5235. What is the amount of gratuity which they receive from the colonies for their passage?—I am not aware.

5236. Do you not know what the average price of a passage to Australia is in the way in which the Government carries it on?—From 16 *l.* to 20 *l.*

5237. I presume on the average there would be four members in each family?—Yes.

5238. That would be about 80 *l.* a family?—Yes.

5239. Do you think, then, there is any hardship where a family is presented with a gift of 80 *l.* for their passage to Australia, in their being required to proceed either to Liverpool or Plymouth?—Most undoubtedly I do.

5240. On what ground?—Because those poor people, if they have 3 *l.*, or 4 *l.*, or 5 *l.*, want to keep it in their pocket until they are landed on the shores of Australia; and if they embark at Bristol, they would not have to incur any expense on getting on board.

5241. Sir *T. Herbert.*] Do you happen to know the number of emigrants from those

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those parishes that have proceeded to Liverpool or Plymouth for embarkation?—A vast number have gone; I do not know exactly the number.

5242. Have you any statistic, or document, or return for any one of those parishes?—The clerk of the Merthyr Tydvil Union, Glamorganshire, states that a great number, hundreds, have emigrated from that neighbourhood, but they have gone principally to Liverpool to embark.

5243. Mr. *Peel.*] Do you think that the circumstance of those emigrants not proceeding from the Port of Bristol, prevents the counties which would probably find an outlet for their emigration at Bristol, supposing it was a Government emigration port, from receiving their fair share of the fund provided by the Australian colonies?—Most undoubtedly I do.

5244. What are the counties?—For instance, Cornwall; all the north side of the county of Cornwall. There is a steamboat which comes every day almost from Hayle to Bristol, which would enable the miners to come up, who are a most useful body of men, to go into the Australian colonies.

5245. I have looked at some statistics on this question, and I find that in Gloucestershire, Herefordshire, Somersetshire and Wiltshire, which I consider to be the four counties which would find it convenient for their emigrants to proceed to the port of Bristol, the population is to the population of England and Wales in the ratio of 7·9 to 100; and the number of Government emigrants which have been sent from those four counties, is in proportion to the Government emigrants which have been sent from the rest of England and Wales, not as 7 to 100, but as 13·28 to 100, that is, twice as much as they are entitled to; would not you infer from that that the circumstance of those emigrants having to proceed from other ports than Bristol, does not deprive their receiving their fair share of the Australian emigration?—It appears very evident that all through the north coast of Cornwall, the northern part of Devon, and the entire county of Somerset, Gloucestershire, Merthyr, and Glamorganshire and all down the coast of Wales, the inhabitants would find it a much more easy mode of transit if they came to Bristol instead of going to Liverpool or Plymouth.

5246. Captain *Scobell.*] Is there any Government Emigration port between Plymouth and Liverpool?—None.

5247. What is the distance from Plymouth to Liverpool?—Between 300 and 400 miles.

5248. One great point which you wish to enforce from your practical experience, as you state, is, that taking any given number of vessels sailing from Bristol and the same number sailing from Liverpool, that given number of vessels would be more likely to make safe voyages until they get into the open sea from Bristol than they would from Liverpool?—Most undoubtedly.

5249. *Chairman.*] What is the distance from Bristol to Lundy Island?—About 80 miles.

5250. When westerly winds are blowing in you require tugs, do you not?—Yes; but the south-west wind would be a fair wind to Lundy Island, and that blows for the greater part of the summer, when our emigration principally goes on.

5251. Mr. *Peel.*] Is it possible that less risk would attend the departure of Government emigration vessels than has been the case, when I tell you that not a single vessel has been lost leaving this country?—I do not think it will bear out the argument, because my friends who are largely engaged in the South American trade, can insure their goods in all cases a half per cent. cheaper to Bristol than to Liverpool; if there was not less risk in coming to Bristol that could not be effected.

5252. *Chairman.*] Is there any difficulty in procuring shipping of the class generally taken up by the Government in Bristol?—Certainly not; we have at this moment a vessel named the "Columbus," engaged by the Emigration Commissioners, being inspected by Lieut. Lean and some others, for the purpose of taking emigrants, and she is to go in ballast from Bristol; to what port I do not know, either Birkenhead or Plymouth, for the purpose of receiving our emigrants, and that ship is lying in our port now.

5253. Mr. *Peel.*] Do you think emigrant vessels could be taken more cheaply, or as cheaply, from Bristol as from other ports?—Equally cheap, if not cheaper.

5254. Has Bristol any trade to Australia?—Yes.

5255. What

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5255. What is the amount of that trade?—I am not prepared to say the exact amount.

5256. You have not furnished yourself with any statistical information upon the subject of the Bristol trade to Australia?—No; of the emigration generally I have.

5257. Do you mean the private emigration to Australia, from Bristol?—Speaking of emigration generally, in 1852 we dispatched 28 ships, containing 3,899 passengers; in 1853, we dispatched 29 ships, containing 2,113 passengers.

5258. Captain *Scobell.*] Those were free emigrants?—Yes; that was spontaneous emigration, not Government emigration.

5259. *Chairman.*] Can you at all say what proportion of those went to Australia?—Some proportion: I cannot state exactly.

5260. Mr. *Peel.*] Are you of opinion that vessels would be found most suited to the purposes of Government emigration at ports where vessels are fitted up for the Australian trade?—Yes.

5261. Are you aware that, referring to the reports of the Bristol Chamber of Commerce, it appears that, during the six years ending the 5th January 1854, not one single ship entered inwards to the port of Bristol from either New South Wales or South Australia, the two principal colonies to which Government emigrants are sent?—That may be very true, and yet it would not apply to taking passengers outward from Bristol to Australia.

5262. Does not that show there is very little trade between Australia and Bristol?—No; the vessels that go to Australia seldom or ever find cargoes back. They have to proceed to Callao and China to get cargoes backwards, the emigragration takes such a vast quantity of ships to Australia.

5263. I will take the tonnage outward, and I find that in those six years the whole tonnage outwards to those two important colonies was under 12,000 tons, or at the rate of 2,000 tons a year; does that seem to show that there is any very extensive trade between Bristol and Australia?—I do not see that that applies to the subject of passengers at all.

5264. Did not I understand you to say that vessels would be obtained most economically and best fitted for the purpose of Government emigration at those ports where there was an Australian trade, and vessels were fitted up for the purposes of the Australian trade?—Yes.

5265. Now it appears that there is next to no trade at all between Bristol and Australia?—Because Government will not give us the boon of taking free emigrants from there.

5266. You wish to create a trade by establishing a Government passenger traffic?—Yes.

5267. Not that there are any present advantages offered by the port of Bristol to the Government?—Yes, there are; because you could have had a ship at a much less rate if she had to take her passengers on board at Bristol; at 300*l.* less, undoubtedly.

5268. You say that Bristol has tendered vessels to the Emigration Commissioners to take emigrants from their own ports?—No; a vessel is now lying at the port of Bristol wanting employment that was engaged by the Emigration Commissioners to take emigrants to Australia.

5269. The Emigration Commissioners have taken up a vessel at Bristol for the purposes of their trade from Liverpool or Plymouth?—Yes.

5270. Do you think that vessels are not occasionally taken up by the Commissioners at almost every port in the kingdom?—Yes, very possibly.

5271. Would you, therefore, establish a Government emigration depôt at almost every port in the kingdom?—In establishing Bristol as a Government emigration port it would be merely to take part of the burden from Liverpool.

5272. Would you establish, upon the ground of Bristol having tendered the single vessel, an emigration depôt at Bristol?—No.

5273. Do you think, in point of fact, many vessels have been taken up at Bristol by the Emigration Commissioners for the purposes of their traffic?—I think I know of two.

5274. Are you aware that the Emigration Commissioners requiring to take up 200 vessels in the course of the last two years for the purpose of the passenger trade to Australia, 750 vessels were tendered to them from different ports of this country; and of that number, less than six were tendered from Bristol?—Would

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it be out of place if I were to ask how many were tendered by the ports of Plymouth and Southampton?

5275. You are not perhaps aware that the reason why Southampton and Plymouth are emigration depôts is, because they are in the line of vessels leaving London for Australia, and that the emigrant vessels from London find it convenient to call at Plymouth or Southampton for passengers coming from adjoining parts of the country?—And to avoid the dangers which occur in getting from London to Southampton.

5276. *Chairman.*] You think it is easier and safer to get to sea from Bristol than from Liverpool?—Yes.

5277. Mr. *Peel.*] You are aware that not a single vessel has yet been lost in the Government emigration trade leaving this country?—Yes; another winter may roll over our heads, and there may be some thousand souls lost in going to Australia.

5278. *Chairman.*] You say also that if the Government did establish an emigration under their superintendence from the port of Bristol, vessels would be tendered in sufficient number to meet the requirements?—Yes, and we could also have vessels from Bristol calling at Queenstown.

5279. What class of vessels at Lloyd's would you find there?—I think I have one vessel, the "Seringapatam," of 587 tons, classed 13 years at Lloyd's.

5280. Captain *Scobell.*] Some inquiries were made about a single vessel now being at Bristol engaged by the Emigration Commissioners, and going to some other port to embark emigrants; but if more were required to embark, are not there more vessels to be got there?—Yes. We are obliged to send them to other ports for want of employment, to load coals.

5281. Inasmuch as other ports have got the emigration, those other ports, as long as they can supply vessels, do not come to Bristol for them?—No.

5282. Mr. *Peel.*] How do you account for none of those vessels being tendered to the Emigration Commissioners; that out of 750 only six were offered from Bristol?—There might be some of them taken up through an indirect channel.

5283. Does it appear to you that Bristol can compete with other ports in the offer of vessels to the Emigration Commissioners?—I would not say that it could compete with London in the offer of vessels.

5284. Do you not think it is the duty of the Emigration Commissioners to take up such vessels as they can get most economically?—Undoubtedly.

5285. You are aware that they expend a colonial fund?—I am perfectly aware of that.

5286. And that they are responsible to the Australian colonies for the economical distribution of that fund?—Yes.

5287. Captain *Scobell.*] Could not that fund be expended as economically if the vessels sailed from Bristol as from anywhere else?—Most undoubtedly.

5288. Mr. *Peel.*] You think vessels could be taken up as economically at Bristol as at other ports, although there is no trade beyond the moderate quantity which appears from the statistics I have read, between Bristol and Australia at the present time?—We have very often a large amount of tonnage which we are obliged to send to a neighbouring port to take in coals; that would not be done if we could keep them profitably employed.

5289. Did not you say that it was your opinion that vessels could be taken up most economically at those places where there were vessels fitted for the Australian trade?—I think not.

5290. *Chairman.*] Did you say, in giving the numbers for 1852, that there were 2,197 passengers emigrants altogether, or 2,197 to Australia alone?—No; altogether 2,113 in 1853, and 3,899 in 1852.

5291. Mr. *Peel.*] Is there an emigration agent for the private emigration at Bristol?—No.

5292. The private emigration is so inconsiderable, that it appears not to require the presence of an emigration agent even?—No, I would not admit that.

5293. Captain *Scobell.*] What is the amount of free emigration during those two years, 1852 and 1853?—Six thousand and twelve.

5294. Do you know how many were embarked at Southampton in 1852 and 1853; the free emigration, independently of the Government emigrants?—In 1853 there were 822 from Southampton.

5295. Then the free emigration from Southampton for that year was much less than the free emigration from Bristol?—Yes, much less.

5296. Will you state to the Committee how many embarked from Plymouth in the same year?—Seven hundred and forty in the year 1853.

5297. Being still less than Southampton?—Yes.

5298. Mr. *Peel.*] You are aware that Southampton and Plymouth are in the line and track of emigrant vessels proceeding from the port of London to Australia?—Yes.

5299. And that therefore it is an arrangement of obvious convenience that those vessels should take their emigrants on board at Southampton and Plymouth, rather than bring the emigrants up to the port of London; is that so?—Yes, that is so.

5300. But would it be in the track of those London vessels, that they should proceed round to Bristol, and there take their emigrants on board?—No, it would not be in their track.

5301. And therefore it is no ground for drawing an inference in favour of the establishment of a Government depôt at Bristol, that there is a Government depôt at Plymouth and Southampton, although there may not be any large private emigration from these ports; is that so?—It appears so, from the remarks you have made; it must be so.

5302. Captain *Scobell.*] Is your inference this, that as the free emigration is much larger at Bristol than it is at Plymouth and Southampton put together, it is a proof that Bristol would be very convenient for all kinds of emigration, as far as the population on shore are concerned?—It shows that the spontaneous emigration there is much more than in either of the other places.

5303. What class of persons from the ports of England and Wales do you think would be convenienced in embarking from Bristol, as compared to the ports of which we have been speaking; are they a full proportion of the respectable class?—Yes, respectable agriculturists.

5304. Mr. *Peel.*] Do you know how many ports there are in this kingdom which have a larger emigration than Bristol?—I do not, only as respects Plymouth and Southampton.

5305. Are you aware that there are many ports which have a larger free emigration than Bristol?—I am not aware that any port is more centrally situated as an emigration depôt.

5306. Are you aware that there are many ports which have a larger free emigration than Bristol?—There are other places, possibly, that have as large, or larger.

5307. If you think that Bristol should be made a Government emigration depôt because it happens to have some free emigration, do you also think that every port in the kingdom from which there is a free emigration larger than that from Bristol, should also be made a Government depôt; is that your opinion?—No, that is not my opinion; my opinion is this, that from the geographical situation of Bristol, it demands that some of the funds from Australia should be sent to Bristol for people to embark there.

5308. Not because the inhabitants of the counties round Bristol are not sent in their full proportion as emigrants?—Many more would go if they could embark from Bristol.

5309. You would not propose that the Australian Emigration Fund should be spent entirely and exclusively in sending out Bristol emigrants?—No; I do not propose that at all.

5310. You are aware that they now receive more than twice their proportion of the emigration fund?—Bristol?

5311. Yes; the inhabitants round Bristol; you are aware that the inhabitants of the counties round Bristol receive at present more than double their share of the Australian Emigration Fund?—I am aware also that large portions go from that vicinity which could embark with much more ease at Bristol than the place from which they go.

5312. Do you think the convenience of those emigrants is a matter so much to be consulted, when they are presented with a bounty of 80*l.* to enable them to reach Australia?—I really think it is, and that it would be more economically spent in emigration from Bristol than elsewhere. Emigrants should be embarked there, without making them go to Birkenhead or elsewhere.

5313. Although the Australian colonies present those intending emigrants with

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from 80*l.* to 100*l.*, they have no title to call upon the emigrants to proceed to one part of the country rather than another, at a little sacrifice of their convenience?—I have no doubt that the colonies look forward to receiving a benefit from those emigrants who are to emigrate to Australia.

5314. No, that is not the case. You agree then that it is no hardship upon an emigrant who receives a large sum to be called upon to proceed to Plymouth or Southampton, although probably Bristol might be nearer to his abode?—I do look upon it as a hardship, although this money is bestowed upon him to take him out.

5315. And although free emigrants to America, for instance, who get nothing towards their passage, proceed of their own accord to Liverpool for the purpose of embarking?—We get our share of the American emigration; we are dispatching a vessel for America now.

5316. *Chairman.*] What class of vessels, as classed at Lloyd's, take out the free emigrants from Bristol?—I think they are generally the first-class, or red star.

5317. You believe that Bristol could furnish first-class ships, or at least not lower than those used for the Government emigration, if it was made a depôt?—We could furnish the ships.

5318. Do you recommend, from your own experience at sea, that vessels of a lower class than red star should be sent for emigration purposes?—Certainly, nothing less than a red star should be sent to carry people across the Atlantic.

5319. How many men to a ton do you man your ships with?—Four.

5320. Captain *Scobell.*] With reference to the per-centage of people going from those western portions of England, do those portions so enumerated include all that would be convenienced by Bristol being made an emigration port?—No.

5321. It does not include any part of Devonshire, nor anything westward of Glamorganshire, such as Pembroke, and other parts of Wales, or any of the nearer midland counties, so that, in fact, that per-centage would be much altered if those places so omitted were included in the calculation?—Certainly, it would show a very different shape.

5322. Mr. *Peel.*] Do you mean, then, that no emigrants are sent from those places that have been omitted in my calculation of the counties round Bristol?—There may be some few.

5323. Only a few?—Not very many I should presume.

5324. Captain *Scobell.*] You stated that you wished to show that Bristol is a safe port to send emigrants from?—There is not a safer port in England.

5325. Mr. *Peel.*] Can the Government emigration be more safe than it is when not a single vessel has been lost leaving this country?—At the present moment it cannot be more safe.

5326. Therefore there is no ground in respect of anything which has occurred for insisting upon greater precautions?—The "Tayleur" was not taken up by the Emigration Commissioners, yet she had a vast number of souls on board.

5327. I understood you to say that you proposed to make Bristol a Government emigration depôt?—That was my object.

5328. Therefore it is no use drawing any argument from what may happen to free emigration in other ports of the kingdom?—I thought it would be so.

5329. Captain *Scobell.*] You were asked whether you thought Bristol a safe port, and in answer to that you said, "as safe as any port in England"?—Yes.

5330. You have been told that the emigrant ships taken up by the Government have escaped shipwreck in getting out on their voyage?—I have heard that.

5331. Admitting that to be so, have not many other vessels that have sailed down the St. George's Channel been shipwrecked with emigrants on board, and a large proportion of the emigrants drowned?—Yes.

5332. Therefore you take your view, I suppose, as a whole, that any given number of vessels with free emigrants and Government emigrants sailing from Bristol would be as safe, or safer, than from almost any port in England?—They would be as safe, or safer.

5333. Mr. *Peel.*] And yet this greater safety in the port of Bristol has not induced free emigrants to depart from it in preference to other ports. Is not that the case?—Not exactly; it is to a certain extent; we have more free emigration than the proportion you speak of.

5334. Sir *T. Herbert.*] Do you know the number of emigrants that go from Cork?—I do not.

5335. Captain *Scobell.*] With respect to the safety of St. George's Channel and the Bristol Channel, to get out into the Western Ocean; supposing the "Tayleur" had sailed from Bristol, do you believe that she would not have met with shipwreck?—She would not have been exposed to the danger she was exposed to.

5336. Have there been any vessels with passengers wrecked since?—The "Arctic," United States Steamer, ran upon the Black Rock on the 17th of this month.

5337. Mr. *Peel.*] To what line of packets did she belong?—The Collins line.

5338. Do you think that Collins's line of packets will be sent from Bristol in consequence of that accident?—No.

5339. Captain *Scobell.*] Would that accident have occurred if she had sailed from Bristol?—No.

5340. How many were drowned on board the "Arctic"?—None; she returned back to Liverpool.

5341.] Was there a vessel called the "Robert Kelly" lost since?—She was wrecked upon the Arklow Bank.

5342. Where from?—From Liverpool.

5343. Was she a steamer or a sailing-vessel?—A sailing vessel.

5344. How many passengers had she on board?—About 700.

5345. Were they all saved?—They were all miraculously preserved by open boats.

5346. The ship was lost?—No; she was towed back to Kingstown, after having her masts cut away.

5347. Mr. *Peel.*] And yet, in spite of those drawbacks to the port of Liverpool, the free emigration continues to go from there, and to disregard the superior attractions of the port of Bristol?—From having obtained a name, and having a large amount of emigration from the port, people from the vicinity of Dublin and Belfast, and all that district, flock to Liverpool for emigration, because vessels are continually going, when those parts in Ireland do not find the ships to go with such facility as they do from Liverpool.

5348. Captain *Scobell.*] Have you read the first Report of this Committee that has been issued?—I have.

5349. Have you any suggestions to make as to the quantity of emigration that goes on at Liverpool; have you formed any opinion as to the large quantity, whether it is inconvenient?—I have; I was reading it over, and I observed particularly Mr. Hamilton, in a question to Mr. Murdock, says, "Is there any examination; does he question the men as to their nautical experience?" to which he replies, "Not generally; he has probably, in Liverpool, to pass eight or ten ships in the course of the day; and it is impossible to examine all the men; in one or two ships he makes the men go aloft if he has any doubt."

5350. Mr. *Peel.*] Those eight or ten are private passenger ships?—Probably they are.

5351. How would you propose to divert the stream of voluntary emigration from Liverpool to Bristol; how could you do it?—In such a case as that I should recommend that the Government appointed more people for the inspection of those vessels.

5352. At Liverpool?—Yes.

5353. You are speaking now with reference to the general subject?—Quite so.

5354. Captain *Scobell.*] Are there not many parts of Ireland nearer to Bristol than to Liverpool?—All the south-west part of Ireland is much nearer to Bristol than to Liverpool.

5355. What class of emigrant ships would you recommend?—Nothing less than red star.

5356. Do any ships go now much below that class?—I think Mrs. Chisholm observed in her examination, that out of the 14 wrecks, there was only one first-class ship; a great many of them had no character at all.

5357. With respect to free emigration, you are quite aware that Bristol must take its chance with other places; but your object now is to make such a statement to the Committee, as will show some claim for Bristol having a portion of the Government emigration?—That is so.

5358. Mr. *Peel.*] Do you mean a claim for the purpose of improving her trade?—Not at all; but for the convenience of those who wish to embark.

5359. Captain *Scobell.*] And you consider one of the grounds of that claim to be the safety of the port?—Yes, the safety of the port.

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5360. With respect to manning vessels; what is your opinion of the number of men that a vessel carrying emigrants should have to every 100 tons?—Four.

5361. Would you include in that the free emigration as well as the Government emigration?—In every ship that carries emigrants out of this country, I think there should be that number.

5362. *Chairman.*] Do you include the officers and boys?—Yes.

5363. Captain *Scobell.*] Are you in favour, or not, of vessels having a certain number of apprentices, with a view of keeping up the stock of seamen required for emigration and other purposes?—Yes; I think I have something like 48 to 50 apprentices of my own at this moment.

5364. There was an enactment which was repealed, with reference to making compulsory the taking of apprentices; are you in favour of any re-enactment of that law respecting apprentices?—I think that every shipowner who knows his business would see that it was not only his duty, but his privilege, to have apprentices.

5365. Do you find vessels generally taking apprentices now?—Generally they have either two, or three, or four apprentices.

5366. By a return which I hold in my hand, it is shown that of the number of emigrant ships that went in a given year, about three years ago, much the larger part of them had no boy on board; you would not think that to be a wise thing?—It is too frequently the case now that a boy gets on board a ship, and he makes one voyage to America, and has just learned to swear and smoke, and he comes back and gets hired as an ordinary seaman; I would let no man be deemed an able seaman who had not served four years on board a ship; I should rate him as an able seaman if he had served four years on board a man-of-war, or had served an apprenticeship of four years on board a merchant ship.

5367. *Chairman.*] Is he not disrated, and does he not lose his wages if he proves himself incompetent?—No; if a man has been shipped at anything under the usual rate of wages you cannot reduce him; you have no means of mulcting him in a part of his pay.

5368. Mr. *Liddell.*] It has been shown by a return that the amount of apprentices employed in the merchant service has diminished from 31,000 in the year 1850 to 13,000; does not that show that some means should be taken to enjoin a more compulsory engagement of apprentices?—Whilst we have to compete with all the world, I do not think it would be right that we should lay anything in the shape of a tax upon any person, if he cannot see it to be his interest to do so; but as a shipowner, I consider it my own interest to have apprentices.

5369. That is speaking for yourself; but it appears that generally the diminution of apprentices in the merchant service creates some fears that a sufficient number of youths may not be educated for the sea service, and the wants and defence of the country?—Yes.

5370. Is not it desirable to look to that national point of view in the arrangements that are made for the merchant shipping service?—We have to compete with our American friends, and they are the strongest competitors we have got; their vessels are manned with a very small number of men; they are generally very good men, but they have a much less number than we have.

5371. The Americans, I believe, do not consider so large a number as four able seamen to 100 tons necessary?—I think three to 100 tons would suffice for them.

5372. Captain *Scobell.*] You take apprentices in your ships?—Yes.

5373. You think it would be wise for all ships to do so?—I think it is the interest of the shipowners.

5374. And would it not be for the benefit of the supply of seamen as well?—It would be a nursery for them.

5375. As you take apprentices, and a great many others do not, do not you think it would be advantageous to make some regulation that they should do as you do?—I do not like to enforce upon my neighbours to do that which I do if it is unpleasant to them.

5376. Sir *T. Herbert.*] A boy goes a voyage to America, he comes back from the voyage, he is made an ordinary seaman of, and then he passes as an able seaman; if there were apprentices it would correct that?—There is a vast deal of trouble with apprentices, and many shipowners do not like to be troubled with them; sometimes, after they have been two or three years aboard, they run away.

5377. I collect from you that you are of opinion that it would be desirable to have apprentices?—I think so.

5378. *Chairman.*]

5378. *Chairman.*] When you speak of four men to 100 tons, of course you do not include the passenger, stewards, or any of the idlers?—Nothing of that sort; I should say that, in a vessel of 300 tons, we have generally one apprentice to 100 tons.

5379. You do not think that an emigrant ship can be adequately managed unless she has four men to every 100 tons?—No.

5380. Emigrants come from the Irish ports to take ship in Bristol, do they not, in steamers?—Yes.

5381. Do they come on the decks?—Yes, on the decks.

5382. Are they not very much exposed?—Not so much as they are in coming to Liverpool; there is more room for them below, and in the betwixt decks.

5383. Still they are on the upper deck?—No, we have generally some part betwixt decks where they can get in bad weather.

5384. Captain *Scobell.*] Was not there a memorial from the Bristol Chamber of Commerce respecting emigration?—Yes.

5385. Did that memorial state how many went to Australia, and how many went to America in one year?—Yes, it gave all the particulars.

5386. Is it correct that 2,000 went to Australia, and 1,576 to America?—Whatever was stated in that memorial was the truth. With the permission of the Committee, I will read an extract from the memorial: "That the emigration from Bristol is already considerable. An official return shows that in the year ending the 31st of December 1852, 16 ships of 8,339 tons, carrying 1,574 passengers, sailed from it to North America, and 13 ships of 6,286 tons, carrying 2,197 passengers to Australia."

5387. Mr. *Peel.*] You informed the Committee, as I understood you, that you had ascertained that the free private emigration from Bristol was larger than the private emigration from Southampton and Plymouth together?—Yes.

5388. You were, perhaps, not aware when you made that statement, that in the five years ending December 1851 the private emigration from Bristol amounted to 7,822 passengers, and that the private emigration, not counting the Government emigration from Plymouth, was not only not less than from Bristol, but amounted to 30,136 in five years?—I was not aware of that.

5389. That hardly appears to consist with the statement which you have made to the Committee. You state that for the years 1852 and 1853 you know that the private emigration from Bristol has exceeded the private emigration from both Plymouth and Southampton?—Yes.

5390. Notwithstanding that for the five years ending December 1851 the emigration from Plymouth alone was more than quadruple that from Bristol?—I think it is pretty strong proof that it is diminishing at Plymouth and increasing at Bristol.

5391. Captain *Scobell.*] The information you have given on that subject is the most recent that you could obtain?—Yes.

5392. Mr. *Hankey.*] With reference to the existing law respecting emigrant ships, have you any suggestions to make to the Committee that you think would tend to the improvement, and comfort, and safety of the passengers, in the event of the present laws being in any way altered?—Do you mean in taking emigrants to Australia?

5393. To any part of the world?—The first thing which I should recommend is that they should have no ship classed in Lloyd's book less than "Red Star," and the next thing that I would recommend is to see that they carry honest and efficient sailors; not men that merely call themselves sailors, but they should be tested by some means as being sailors.

5394. Would you recommend that that should be done by an Act of Parliament?—Yes, most undoubtedly; the lives of the crew and the passengers are at stake.

5395. You must be aware that it is exceedingly difficult to frame an Act of Parliament which ensures the efficiency of the men employed by the owner of a ship upon any particular service?—A shipowner, perhaps, if he was a mercenary man, may engage ordinary seamen, and they would pass the ordeal, and when they get out to sea, perhaps, they are sea-sick.

5396. Do not you think that the interest alone of a shipowner is sufficient to guarantee the efficiency of his crew?—It ought to be so.

5397. Do you think that any regulation by Act of Parliament could do that

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which the present interest of the shipowners would not induce them to do for their own protection?—At this moment it is a very difficult matter to find sailors for merchant ships alone; and many men are engaged that would not be engaged if there were a larger supply of British sailors to be found.

5398. It would be equally the case if an Act of Parliament existed, whether the Act of Parliament specified the quality of the sailors or not?—I think if the Act of Parliament would compel all boys to be apprenticed for at least four years at sea before they should be rated as able seamen, in a very few years we should get such a class of sailors as would be an ornament to the country.

5399. If I understand you rightly, you would secure an improved quality of sailors by re-enacting the law making the taking of apprentices compulsory?—I do not exactly know how to answer the question, because it would be putting a tax upon some people who would deem it a tax.

5400. *Chairman.*] Is it your intention that there should be a law enacted that no person should be an able seaman under four years' service?—Yes.

5401. Mr. *Hankey.*] If I understand you rightly, you would wish that the laws respecting apprentices should be re-enacted; did you say that?—No, I think not.

5402. You would prevent any man being rated as an able-bodied seaman until he had been four years at sea?—Any man who could not produce an indenture of having served at least four years at sea.

5403. We are speaking solely of the regulations respecting emigrant ships; do you apply the answer to my question to emigrant ships alone, or as a general remark which should be applied to all ships sailing from England?—I conceive myself that what would apply to emigrant ships would apply to all the ships of our country.

5404. Have you ever turned your attention to the subject of the dietary?—I have not.

5405. Have you turned your attention to the subject of the quantity of room on board ship?—Mr. Whitwill is more particularly engaged in passenger traffic, and I have gone through his vessels, and I see that there is every comfort and accommodation that can possibly be made.

5406. *Chairman.*] With regard to water-closets, are they between decks, or on deck?—On deck.

5407. Mr. *Hankey.*] You have no particular recommendation to offer to the Committee, with regard to the space on board, which you think is not already carried out by the existing regulations?—As far as ships going from Bristol are concerned, they have every comfort that the passengers can wish.

5408. Mr. *Liddell.*] Have you turned your attention to the subject of the ventilation of ships?—I have examined it oftentimes in ships going from Bristol.

5409. Do you think that the system is as good as it can be, or that it may not be susceptible of improvement?—There is nothing that is not susceptible of improvement.

5410. Mr. *Hankey.*] Have you ever heard of any complaints of emigrants arriving in Bristol suffering from delay in the ships not sailing?—No, never.

5411–12. Captain *Scobell.*] You stated a little while ago that though you would not oblige vessels to take apprentices, you would enact a regulation that nobody should be rated as a seaman unless he had served by indenture four years as an apprentice. Is that because you apprehend that that would have the same effect as if a law were passed obliging shipowners to take apprentices?—I think it would have a better effect; it would stimulate boys to go as apprentices instead of going as they do now as ordinary seamen.

5413. They would be obliged then to go as apprentices?—Yes, they would be obliged to go as apprentices.

5414. So that, in point of fact, it would have the same effect as an Act of Parliament compelling shipowners to take apprentices?—I think it would have a better effect.

5415. With respect to getting a vessel out to sea when she starts from Liverpool or Bristol, would you recommend any precaution to be taken in that respect?—I should recommend their being towed by steam from Liverpool to the Tuskar Rock, and not only that, but they should have a coasting pilot on board.

5416. Mr. *Hankey.*] Would you recommend that to be put in a general Act of Parliament, as applicable to ships generally?—Undoubtedly I would.

5417. Captain

5417. Captain *Scobell.*] When you say you would do it by Act of Parliament, you do not care how it is done so long as it is effected?—Not at all.

5418. All you want is that it should be brought about?—Yes.

5419. Sir *T. Herbert.*] If the port of Bristol was to be made an emigrant station, would you do the same?—Equally the same, but we should not have quite so far to tow by steam as they would from Liverpool; we should tow from Bristol to Lundy Island, and the ships would be quite out to sea there.

[*The following copies of a Declaration, signed by the Shipowners and Shipbrokers of Bristol, and the Answer thereto, were delivered in.*]

At a Meeting of Shipowners and Shipbrokers of the Port of *Bristol*, held at the Offices of the Bristol Chamber of Commerce, 52, Queen-square, Bristol, on Tuesday, 11 April 1854, *James Bush*, Esq., in the Chair, it having been reported that the Colonial Land Emigration Commissioners had expressed doubts of the Supply of Ships, and the Rates at which they could be chartered from the Port of *Bristol* with Emigrants,

It was resolved unanimously,

That the following declaration be submitted to the shipowners and shipbrokers of this port for their signatures, and that the committee of the Bristol Chamber of Commerce be requested to forward the same, when signed, to his Grace the Duke of Newcastle, Colonial Secretary, and to the Colonial Land Emigration Commissioners:—

That looking at the port of Bristol in connexion with the other ports in the Bristol Channel, it offers a very extensive choice of shipping, and an unlimited supply of suitable cargoes; and as there are no port or other local charges outwards at Bristol, either on passengers, ships, or goods, and the district for which it is the natural port abounds in the most desirable classes for emigration, and taking into consideration also the superior safety of the Bristol Channel, and the conveniences of the port of Bristol, the undersigned shipowners and shipbrokers would pledge themselves that, if it were named for the purposes of free emigration by the colonial authorities, ships could be chartered from it on equal, if not better, terms than from any other emigration port.

[This was signed by 54 shipowners and shipbrokers of Bristol, and forwarded to the Duke of Newcastle and the Commissioners by the Members for Bristol, on the 2d May 1854.]

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Copy of REPLY to Memorial of the Bristol Chamber of Commerce, dated Downing-street, 20 February 1854.

Sir

I am directed by the Duke of Newcastle to acknowledge the receipt of a memorial from the Bristol Chamber of Commerce, presented at this office by the Members for the City of Bristol, requesting that this Port may be appointed a depôt and place of departure for emigrants sent to Australia by the Government.

This memorial has received the Duke of Newcastle's best attention. I am desired, however, to remark to you, that the Australian emigration is carried on by means of Colonial funds supplied for Colonial purposes, and that the single object to be regarded in their expenditure, is to furnish the Colonies with the labour which they require in the manner which may prove most conducive to economy and efficiency; and that upon making inquiry into the subject, it is clearly established, that these objects are best promoted by maintaining the existing depôts at Birkenhead, Plymouth, and Southampton, without adding another at Bristol. And with regard to the point, which is urged in the memorial, of the convenience of persons residing in the country around Bristol, I am desired to observe that they have a ready access by railway to any of the depôts above mentioned, and that when the Colonies present emigrants with so great a boon as a free passage, such persons can have no reason to complain of any small amount of expense in reaching those places of embarkation which may be found to be on the whole most desirable for the conduct of the service maintained by Colonial funds.

I have, &c.

James Bush, Esq.,
Chairman of the Chamber of Commerce, Bristol.

(signed) *Frederick Peel.*

Mr. *J. M. Hyde.*

Mr. *John M. Hyde*, called in; and Examined.

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5420. Captain *Scobell.*] WHAT are you?—A Nautical Instrument Maker, living at Bristol.

5421. Will you state to the Committee your views respecting local attraction, or any way of guarding against it?—In reference to local attraction, more particularly in iron ships, as the Committee is inquiring into the causes of shipwrecks, and so forth, I consider that it would be very advisable if the builders of ships should observe a very convenient regulation, by which a very large amount of local attraction in iron ships would be removed; and that is, that the iron beams adjacent to the compasses, and the main-post of the rudders—which is a very considerable cause of the local attraction, especially in the after compass—should be removed, and then the original error of the compasses would be materially reduced, and the principal difficulties got over; and the deck beams should be made of wood instead of iron.

5422. *Chairman.*] I believe you are of opinion that the carpenters are not sufficiently careful in respect of wooden ships, in regard to bringing iron in proximity to the compasses?—I find that is the fact.

5423. You recommend that they should not have iron in any way within five feet of the compasses in wooden ships?—Yes; shipwrights generally are not aware of the influence of bolts and so forth; they have a popular prejudice that if the iron bolts are covered with putty or paint, they do not influence the compasses.

5424. Now with regard to iron ships; you say that every ship laden with machinery should be examined for local attraction; is that done now?—It is not.

5425. Where do they swing the ships in Bristol?—In the harbour.

5426. Is there plenty of room for it?—Plenty of room.

5427. Sir *T. Herbert.*] In any instances in which you have suggested any alterations, have they always been made?—They have.

5428. Captain *Scobell.*] What did you mean by the main-post of the rudder?—The round bar of the rudder. In iron ships the rudder projects above the main deck some two feet and a half or so; the head of the rudder is the cause of a large amount of local attraction. If that post terminated below the main deck, a very large amount of local attraction would be removed.

5429. It has been stated that there is a strong probability that there are some extraordinary and unaccountable local attractions in the Irish Channel; have you ever heard anything of that?—I have; I am in a position to say that the Island of Skomer, adjacent to Milford Haven, influences very materially the compasses of ships as they sail in that locality.

5430. From what distance should you suppose that island would have any effect?—In sailing close upon it, within half a mile; when they go round the point they find it affect the compass seriously.

5431. You think it probable, then, that other parts of the coast may have some effect?—Very likely; it should be officially examined.

5432. Sir *T. Herbert.*] Have you not heard in what way that island affects the compasses of ships sailing near it?—I have not heard; I suppose it is owing to the iron ore in the neighbourhood.

5433. Mr. *Liddell.*] Do you suppose that iron rock or stone very strongly impregnated with iron, would have that effect in the island upon the ship's compasses?—I have no doubt it has that effect.

5434. *Chairman.*] With reference to nautical instruments, is there sufficient security for the public that the nautical instruments generally supplied to vessels are correct?—I find in my experience that there are very many spurious instruments manufactured; and I am sorry to be obliged to say, that there is not that security that there should be.

5435. Do you think there should be an addition to the emigration staff of an officer who has made this matter his peculiar study?—I do indeed think it would be very advisable.

5436. Sir *T. Herbert.*] With respect to the azimuth compass, do you think that all ships should be provided with one?—I think that no ship ought to go to sea without one; and all ships should have a standard compass.

5437. Have you observed in these iron vessels where there has been a standard compass, that the other compasses can be corrected from it?—There is much less difficulty in ascertaining the error and removing it.

5438. You

5438. You swing, of course, the vessel by the standard compass, where there is one?—I use all the compasses in swinging, to ascertain the error of each.

5439. Captain *Scobell.*] Do you make azimuth compasses?—Yes.

5440. What is the price of the azimuth compass?—Probably 3 *l.* or 3 *l.* 10 *s.*

5441. What is the price of an ordinary binnacle compass?—It ought not to be sold for less than 2 *l.*

5442. It would not be much tax upon the owners of merchant vessels if they were obliged to take an azimuth compass?—No.

5443. Do you find on board vessels that sometimes they are apt to use their compasses too long before they bring them to be repaired, and that they grudge the repair of them?—Yes, I find that frequently to be the case; and they are operated upon by itinerant dealers, who are ignorant of the use of a compass.

5444. *Chairman.*] There has been some doubt, in the course of this inquiry, thrown upon the value of swinging an iron ship, and supplying a table of errors; is it your experience that the benefit of it is doubtful?—Decidedly not; no ship going to sea ought to be allowed to go without being swung.

5445. Captain *Scobell.*] What would be the effect of a vessel laden with iron, or partly so, upon the compass?—In some ships there is no difference; in others it is large.

5446. How do you account for the difference?—Some ships have their steering apparatus in such close proximity to their compasses, that the influence of the mass of iron in the body of the ship is counteracted by the iron in the after-part of the ship; and then the distance, and the size of the ship have some effect.

5447. Sir *T. Herbert.*] You mean the distance of the compasses from where the iron is stowed?—Yes.

5448. Captain *Scobell.*] A competent and scientific man could make those arrangements in any ship?—Yes.

5449. *Chairman.*] Do you think it was prudent to have sent the "Tayleur" to sea; she was swung before her cargo was taken on board; her cargo was iron, and she was not swung afterwards?—I do not think the "Tayleur" was lost in consequence of her compasses being out of order. All vessels should be swung after the cargo of iron or machinery is on board.

5450. Captain *Scobell.*] You said that you thought the "Tayleur" was not lost in consequence of her compasses being bad?—I should say not.

5451. That has been so reported by an official body?—That does not alter the fact.

5452. *Chairman.*] There has been evidence given before this Committee that in Liverpool the compasses have been sought to be corrected in dock with iron posts about?—Very likely.

5453. That of course must be a very defective process?—It has some effect; the men who do that sort of thing in Liverpool could give a vast deal of information upon the subject.

5454. As a matter of experience and knowledge, do you prefer that ships should be swung outside?—Yes; where there are no iron ships or posts in the neighbourhood.

5455. Captain *Scobell.*] Are there any inferior compass-makers who undersell, and sell a bad article?—A great many inferior compasses pass through my hands occasionally, and other nautical instruments; we find very many spurious instruments with respectable names upon them, but they have not been made by those people.

5456. Do you find the American compasses inferior or superior to the English?—They are taken very much greater care of.

5457. Are they superior in their original construction?—Those which have passed through my hands are usually of British manufacture.

5458. They do manufacture in America, do they not?—They do; but I have not had an opportunity of examining them.

5459. Mr. *Liddell.*] Have you any statement to make respecting ladders, which you think should be swung upon the outside of the decks of emigrant ships?—I should strongly recommend that in all emigrant ships there should be provided one or two common rung ladders, such as builders use, which ladders, at comparatively little cost, may be fastened inside the bulwark of such ships, to be ready in case of need to allow emigrants to pass on shore. In the case of the "Tayleur" a great many lives were sacrificed in consequence of their not being able to get on shore; and if they had had a common rung ladder they could have got on shore without so much sacrifice of life.

Captain *Robert Kerr*, R.N., called in; and Examined.

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5460. *Chairman.*] YOU are the Government Emigration Agent in the Port of Dublin?—I am.

5461. How long have you been so?—Since last January twelvemonth. I succeeded Captain Schomberg, the present Emigration Commissioner at Liverpool.

5462. Is emigration from your port now proceeding as strongly as it has done in previous years?—No, it has diminished this year, up to this time, one half, as compared with last year; the numbers at the present time are 1,062. This time last year they were actually 2,064; the difference being 1,002.

5463. I believe there are no Government vessels go from Dublin?—No, it is all free emigration to America.

5464. Are the vessels taken up in the port of Dublin, Dublin ships?—They are almost all Dublin ships; last year there were a few exceptions; there were some Danish ships, and one or two American ships.

5465. What is your opinion of the vessels that are taken up in Dublin?—Those vessels all have to undergo a rigid examination by the surveyors appointed there by the Colonial Land and Emigration Commissioners belonging to my staff.

5466. Of what number does your staff consist in Dublin?—As far as regards myself, I have no officers under me. There are two surveyors, who are filling other situations in Dublin as well.

5467. Are the vessels classed at Lloyd's?—Some of them are, others are not.

5468. Does the choice of vessels depend on your decision or the surveyor's decision?—It depends upon the surveyor's decision entirely whether those vessels are fit to undertake a voyage. A most rigid survey is held upon them, irrespective of the class of vessels which they may be, whether Lloyd's or otherwise.

5469. With regard to the arrangements below, do the ships from Dublin generally comply with the Passengers' Act; have you had to find much fault in that respect?—No; there is a most perfect willingness to comply with every order that I give.

5470. Have they a proper bulkhead forward, to separate the unmarried men from others?—I have never known a vessel to go without a proper bulkhead.

5471. Are they louvered?—Yes; they are open work; the division between plank and plank varies from 3½ to 4 inches.

5472. Therefore, for the purpose of decency it is not quite a protection?—If a male on the opposite side chooses to look through that aperture determinately he may see through; but for the general purposes of looking, there is very little to be seen.

5473. Do you see any objection to having those apertures within half a foot of the upper deck?—They go from deck to deck within that distance.

5474. I mean to have them altogether, not to come lower down?—That would affect the circulation.

5475. Might not that be remedied by some tubing through the bulkhead?—I do not think so; when there is a large number of individuals in a space like that, it is highly desirable that there should be as great a circulation of air as possible.

5476. With regard to water-closets, how are your ships supplied?—There are one or two who have water-closets on what is called the main deck; they are found an intolerable nuisance, and are generally obliged to be closed up.

5477. In what way are they an intolerable nuisance; is it because they are complicated?—No; if they were anything complicated, they would be sure to be destroyed by the people; they are very simple, but from the noxious smell they are soon found to be a great nuisance, and they are glad to close them up.

5478. If there was a special passenger steward appointed to take charge of the water-closets, do not you think those evils might be mitigated?—Possibly, if a person was exclusively appointed to attend to nothing else than that, they might be; but I think it would be far better, if possible, to have nothing of that sort on the deck where people are living.

5479. On the upper deck, where are the water-closets situated generally in the Dublin ships?—Generally forward.

5480. Would it not be better to have them aft?—I have seen them so; but there are cases where it is not possible to put them aft. If a vessel have a poop abaft, there is no passage to go abaft. Generally speaking, in other vessels the poop

poop is as it were isolated, and abaft that in one or two there is a water-closet to which females may go.

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5481. Have any cases been reported to you from the other side of the Atlantic where those water-closets on the upper deck have been knocked away by the sea, and where females have suffered great exposure and great outrage to their feelings?—I find that the females do not resort to those places much; that they have their own conveniences which they use below, and that it is not at all uncommon in those vessels, twice or thrice during the day, for the master of the vessel to order all the males off the decks, so as to give the females an opportunity of doing what is necessary.

5482. May not that indisposition of females to come on deck proceed from feelings of modesty and decency, which would be best met by providing water-closets below?—The Honourable Member must be as well acquainted with the character of the Irish as I, and he must know that with reference to those conveniences amongst the poorer class, they have nothing of that sort attached to them; they use the common things.

5483. But being acquainted with the character of the Irish, I am well aware that they have very strong feelings of modesty and decency, and therefore I can very well estimate the reason why the females do not come on deck?—I think, all things considered, decency is possibly more regarded by adopting the precaution of keeping them below than bringing them on deck.

5484. In the Government emigrant ships there are water-closets?—I am told that they always get out of order. Captain Schomberg, the agent at Liverpool, has told me that they always get out of order before the voyage is over.

5485. Captain *Scobell.*] They would not get out of order in the way you imagine, if there was a person appointed to go once a day and see that they were in order?—I know what the lower classes are; they are not accustomed to those conveniences, and they make use of them in a way that would very soon destroy them altogether.

5486. Some arrangement should be made better than merely sending the men off the deck at a certain time, because that is proclaiming aloud what is to take place when the women come up?—That is perfectly true.

5487. Nature does not make a demand upon everybody at the same time; therefore I think that suggestion would not be a very practicable one; and then, there is bad weather, heavy rains, and a gale of wind, and so on; should not the females have some separate and more convenient arrangement than that which you have suggested?—There are one or two vessels in which they have that convenience between the decks, but it has always been found to be rendered useless, and to be a terrible inconvenience and nuisance.

5488. Was that from their complicated construction?—No; by lifting up a valve all the contents were let out, of course, but still at the same time it got destroyed, and they were glad, from the effluvia which was emitted, to give it up.

5489. *Chairman.*] If any argument is founded upon that class of people being unaccustomed to water-closets, it would apply to water-closets on the upper deck as well as on the main deck?—You cannot have them too simple.

5490. If it was a tank supplied by buckets with a funnel from the upper deck, the passenger steward could take the precaution to discharge the water down?—I am afraid that it would be found, in the end, that it would not succeed.

5491. Captain *Scobell.*] If it could be made practicable, you would approve of it?—Yes, undoubtedly.

5492. *Chairman.*] With regard to the dietary, is it your opinion that it is sufficient, as laid down by the Passengers' Act?—It is barely sufficient; but, as far as regards the Irish emigrants, I find that there is hardly a family that does not bring its additional stock of provisions; there is so much flour, so much meal, and a certain quantity of eggs, and butter, and bacon.

5493. Do you think it advisable that the dietary should include those things: taking into consideration that landspeople are not accustomed to cook on board ship, would it be well that the whole dietary be provided on board ship?—It would entail an additional expense upon the emigrants, greater than that they are now put to by the Government allowance; and I dare say it would be found that many of those poor people, when they embark, have taken them in their own hands; they are given as presents when they are embarking, often. I can answer the question possibly better in this way, by stating that it is customary for the authorities at the Castle to order me to provide passages for persons who have been Crown witnesses;

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witnesses; and that in addition to the allowance provided by law, I am also authorised to provide for them a certain amount of provisions, which amounts, generally speaking, to this: a stone of flour, a stone of meal additional, about 10 lbs. or 12 lbs. of bacon, a few pounds of sugar, bedding, and cooking utensils, and those items generally increase the passage by 25 *s*. You can see by that how much it would increase the price to the poor emigrant.

5494. Captain *Scobell.*] You are aware that there is no meat in the dietary?—It is optional; it may be assumed as a general rule throughout Ireland, that nothing but bread stuffs are used.

5495. Taking free emigration from all ports, do you think a dietary is a proper one, by the Act of Parliament, that has no meat?—It will all depend upon the habits and customs of the people; the Irish have not been accustomed to animal food so much as the English or other nations.

5496. Are they not accustomed to any?—In many parts of Ireland the inhabitants rarely taste animal food from one year's end to the other.

5497. Are there not other parts where they do?—Possibly; in Galway they neither taste spirituous liquors nor animal food for a large part of the year.

5498. They get fish?—They do.

5499. Neither fish nor meat is allowed in the dietary?—Certainly not.

5500. Do you think, then, that they would land in that state of health and strength that it is desirable for emigrants to do?—I think the proof of that would be found, as far as regards the result, at the end of their voyage, whether there are many deaths, or whether dysentery is prevalent.

5501. It has been given in evidence by Mrs. Chisholm that that dietary is not sufficient to sustain human strength on the voyage, so as to land the emigrants in a fit state for labour; do you think that is a wrong opinion, and to what extent?—Of course there is another point to be considered; a great deal will depend upon how long the emigrants have been kept on that dietary; possibly to Australia the dietary might not be sufficient, but to America the people might not be found to be so much reduced. I have seen people landed after being 60 or 70 days at sea; it was a family which had very little more than what the Government allowance was, and they were in as good condition, or better than when they embarked.

5502. Do you happen to know what they did take with them in addition?—They had very little; not so much as I have mentioned.

5503. I do not think you will admit, that after they get over sea sickness the sea destroys the appetite?—No, it rather increases it; I have been told, however, even by passage brokers, that sometimes emigrants do not take out their whole allowance; apparently they do not require it.

5504. You were asked whether it would be better for the emigrants to make one payment, and be found in all that was needful, or to leave it as it is, and let them find some things for themselves. If a sum of money would pay the passage with extra provision, would not that be preferable to allowing some to take one thing and some another?—I said that it would cost an additional 25 *s*.

5505. It has been given in evidence that the emigrants often come to a place where they are much imposed upon, and where the provisions are of a bad quality and laid in in a hurry, and therefore it would be much better to pay that extra cost in passage money?—It may be so. As far as my experience goes, I should suppose that a very large proportion of them bring their stock from home; they have bought it with the little money they have over from the sale of their things, or a collection from their friends.

5506. At all events, such an arrangement as I am speaking of would prevent separate cooking, instead of each going and broiling his rasher separately?—Bacon is an article that I should suppose they could only use by cooking in little rashers.

5507. If they were provided from the ship, the cooking would go on at given periods, and not at random periods?—Ten pounds of bacon would be only one pound a week; the vessel is provisioned for a voyage of 70 days, and that 10 pound has to be spread over 70 days.

5508. Whatever quantity it is, would it not be better that the owner of an emigrant ship, the person answerable for feeding the persons on board, should supply proper food, rather than that he should supply part and the passengers the other part. I instanced one convenience, that it would make one cooking do for all?—

I do

I do not think that could be the case. If you examine more narrowly into Irish emigrants, you will find that they all, to a great degree, cook for themselves.

5509. You are aware of what the Act of Parliament requires, that the provisions given by the vessel shall be cooked?—Certainly; I have always insisted that it should be tried; but I am told that after a time people refuse it. One person complains that it is too thin, and another that it is too thick; one does not like this, and another does not like that; one says it is dirty, and another says it is not, and eventually it all settles down to each person cooking for himself. I believe it may be said there is cooking going on all day almost.

5510. *Chairman.*] When you take into account that so many of those emigrants are women and children and old men, and that all are subject to sea-sickness, do not you think it is likely that the stories in the newspapers, of the difficulties of those creatures getting to the cooking place and getting their victuals cooked, may be true?—I know that they are perfectly true.

5511. Would that be remedied by enacting that the victuals should be cooked by the ship?—If you could get those people under a certain degree of military rule, if you could say, as on board a man-of-war, that the breakfast shall be at such an hour, and the dinner at another, that the provisions shall be cooked, and if you do not take them you may go without, well and good. Before the last Act came out I asked what was the preparation for cooking; I was told they all cooked for themselves. I asked why it was not done the same as in a man-of-war; I was told that the thing was perfectly impossible; that the prejudices of the people rendered it perfectly impossible; it was impossible to please all. I am still of opinion that if a regular hour for meals could be adopted, as in a man-of-war, it would be a great advantage.

5512. Mr. *Peel.*] So long as the vessel remains under your inspection, in your charge, the provisions of the Act are rigidly enforced?—I use every exertion to see that everything is done.

5513. If you found any provisions required to be issued in a cooked shape not so issued, you would take steps to prosecute the master of the ship?—I put all the people by themselves, and after they are all mustered I generally address them; I tell them that they are under the charge of the captain, and that their duty is to attend to his orders. I also tell them that by law they are entitled to a certain quantity of provisions, and that it commences from that day, and from that time they are under the orders of the captain, and everything must go on in accordance with the law.

5514. Do you ever invite them to send you complaints?—I ask often, are there any complaints.

5515. Do you advise them on their arriving in America to do so?—I never have done so. Supposing they go to Canada, there is an emigration agent there. I take it that his duty is to go on board and muster those people, because I am bound by my instructions to send him a list of the people on board.

5516. In the case of the United States it is different?—Still at the same time the American government step in, and they are very rigid in their examinations of our vessels to see that the numbers do not exceed those specified by their law.

5517. Do you find the same vessel coming round as an emigrant vessel from time to time?—The larger proportion of the vessels in Dublin are vessels belonging to the port, and they proceed in the spring of the year to New York, and land their emigrants there, and then go on to the St. Lawrence for timber, and they make a second voyage in the year.

5518. Have you reason to believe that in those vessels which you clear after a certain interval of time over and over again, the provisions of the Act have not been observed, as far as regards the directions, with respect to the partitioning of the lower deck, and the issuing of provisions in a cooked state, and other directions?—As far as regards the issuing of provisions in a cooked state, I believe it is very soon given up; I find on all sides where I have inquired into it, that such is the case.

5519. Do you remember the case of the ship "Java"?—Perfectly.

5520. She sailed in the course of this year, did not she?—In the month of March.

5521. Are you aware that a witness before this Committee stated that that ship was in a filthy and dirty state, that the decks were not caulked, that there was no separation of the passengers on the deck, that it was a vessel unseaworthy, and unfit to proceed to sea altogether?—I am perfectly aware of all those things.

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5522. You have observed some variations in the copy of Lieutenant Hutchinson's evidence, as printed for Parliament, and the evidence as taken down at the time of his giving it, and as forwarded to you for your information; is that so?—They certainly do not agree; I believe both of them to be Parliamentary documents, both of them emanating from the House of Commons.

5523. Even in his evidence as amended and corrected by himself, it appears clearly enough that he considered the "Java" to be open to very serious exception?—Evidently.

5524. Do you concur in his account of that vessel?—If you will be kind enough to bring the different points *seriatim* before me, I will answer them.

5525. I will take the first point. He says that the vessel was unfit to proceed to sea, and therefore I presume the surveyor who inspected that vessel must have given in a wrong report to you?—Quite so; my custom is, as Government emigration officer at the port of Dublin, to call upon every person who charters a vessel, to write me a letter stating that he intends to put such and such a vessel on for emigration for a certain port, and to forward to me the customary fee required on such occasions. This is the letter forwarded to me requiring a survey of the "Java;" on the receipt of that, I issue my order to the surveyors to hold a survey accordingly on that vessel. It is part of my duty to attend there, though I am not supposed to have much to do with the hull, or to be capable of doing it.

[*The Witness read the following Report:*]

PORT OF DUBLIN.

FINAL REPORT OF SURVEY.

| Name of the Ship. | Tonnage. | Where and when Built. | Classification, if any. | Where and when last in Dry Dock. | When last Coppered. | GROUND TACKLE. Hawsers: Size and Length. | Anchors. Weight of each. | Chain Cables. Size of Chain. | Chain Cables. Length. | BOATS. Dimensions of each. Length. | Breadth. | Depth. | Nature of Repairs (if any) now effected. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | *Cwt. qrs. lbs.* | | | *Ft. In.* | *Ft. In.* | *In.* | |
| "Java," (ship.) | 572 Tons. | Quebec; 1838. | Not classed. | Ringsend; 15 February 1854. | Sheathed with zinc, March 1853. | 7½ in. (new); 5½ in. (new); 4 in. | 23 0 0 | 1⅛ ths. and 1 1/5 ths. in. | 129 fms. and 115 fms. | 22 11 × | 7 11 × | 38 | |
| | | | | | | | 22 0 0 | | | 17 10 × | 5 7 × | 26 | |
| | | | | | | | 21 0 0 | | | 16 7 × | 5 6 × | 29½ | |
| | | | | | | | 8 0 0 | | | 20 7 × | 6 7 × | 32 | Lifeboat. |
| | | | | | | | 3 0 0 | | | | | | |

We, the undersigned surveyors, duly appointed by Her Majesty's Colonial Land and Emigration Commissioners, under and for the purposes of the "Passengers' Act, 1849," hereby certify, that in pursuance of directions to that effect received from Capt. Kerr, R.N., the emigration officer at this port, we have carefully surveyed the above-mentioned ship when her hold and between-decks were entirely clear of cargo, and have also examined her masts, yards, rigging, sails, pumps, ground tackle, and boats. We find that her hull is sound, tight, staunch, and firm in the fastenings; that her passengers' deck is not less than one inch and a half in thickness, properly supported by beams of adequate strength, forming part of the permanent structure of the ship, and firmly secured with hanging and lodging knees; and that her boats, pumps, and other equipments are suitable and sufficient for a vessel of her tonnage, and in a sound and efficient condition. And, finally, we hereby report that the said ship is, in our opinion, seaworthy, and fit in all respects for the carriage of passengers on her intended voyage to New York.

(signed) *John Duniam*, *William Moppett*, } Government Surveyors for the Port of Dublin.

Dated this 17th day of March 1854.

Approved,

(signed) *Robert Kerr*, Captain, R.N.,
Emigration Officer for the Port of Dublin.

5526. Sir

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5526. Sir *T. Herbert.*] Have you any reason to suppose that that is not a true and correct report?—None in the least; from the character of the officers who have conducted that duty, I have every reason to be satisfied with their conduct.

5527. Mr. *Peel.*] Had you an opportunity of verifying by observation of your own, the accuracy of that report?—I have every reason to believe, so far as my own experience goes, that that is perfectly correct.

5528. Did you observe that the decks were properly caulked?—The passenger deck does not require to be caulked by law, nor is it caulked.

5529. *Chairman.*] Is it your opinion that that ought to be allowed to remain so; does not the filth and dirt fall down into the hold of the vessel?—Throughout Ireland generally such a thing as a caulked passenger-deck is rarely known; it is not required, and I could bring forward letters from almost every port in Ireland to that effect.

5530. Sir *T. Herbert.*] Can any dirt find its way below in the manner in which the deck is laid down?—Little or none.

5531. *Chairman.*] If the ship comes to work at sea, what is the result?—I believe they are found to be perfectly fit for all their requirements; there is nothing to be apprehended in that respect.

5532. Sir *T. Herbert.*] Was the upper deck of this vessel caulked so thoroughly as to prevent water getting down to where the passengers were living; was any complaint made to you?—The top sides and decks of this vessel, as part and parcel of the survey, were all tried by the caulkers, and caulked where necessary.

5533. Captain *Scobell.*] Do you think that the deck on which they live would not be better if it were caulked?—I do not; there are even advantages which may be said to be derived from having a new deck laid every time of a voyage; in vessels which have a perishable cargo underneath it would be absolutely necessary to caulk the decks; but it must be taken into consideration that the majority of Irish vessels sail in ballast.

5534. How do you clean the decks?—They are scrubbed with water.

5535. Some water must get through?—It does not affect anything underneath.

5536. Would it not be better if it was rendered impervious to water?—I do not think that there is any occasion for that. I have asked for information, and all the officers in my situation say the same thing.

5537. In the case of the deck not being caulked, in the working of the ship, in rolling, it must certainly admit the water below?—Not much, if any; it is put on very carefully; it is not slashed on right and left.

5538. Mr. *Peel.*] Were the single men in that ship berthed separately from the rest of the emigrants in the fore-part of the vessel?—They were.

5539. How do you account for the statement of Lieutenant Hutchinson, that there was no separation whatever of the sexes?—I can only account for it by Lieutenant Hutchinson having made a most grievous mistake.

5540. Captain *Scobell.*] Will you state to the Committee if he was grievously mistaken, how the sexes were separated; for instance, the single men and the single women, were they adjoining each other?—In accordance with the provisions of the Act, a bulkhead was put up across the fore-part of the vessel athwart ships, in which all the single men were berthed. I left that bulkhead standing when I left the vessel; and the instant I saw the evidence of Lieutenant Hutchinson, I called upon the passage broker who had the charge of the vessel, and requested him, in an official letter, to report to me whether, when he left the ship, the bulkhead was standing or not; and he reported to me that it was so.

5541. Were the single women by themselves in that ship?—There were families next to the single men.

5542. Where were the single women?—If you will suppose, here is the bulkhead here, and the men were there; immediately abaft that there were families, so as to prevent the single men passing across the families.

5543. Mr. *Peel.*] The Act does not require the separation by themselves of the unmarried females, does it?—No; it is the unmarried males who are to be separated from the females.

5544. Captain *Scobell.*] If you have grown-up single women, you do separate them?—In mustering the passengers, they all pass before me, and if I find girls passing who do not appear to be members of families, I ask them where they are

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going to; and I then have the captain of the vessel and the passenger broker down, and I say, "These girls must be put abaft by themselves."

5545. In the "Java" was there such a place abaft?—There was.

5546. Mr. *Peel.*] The witness also stated that the emigrant vessels leaving Dublin were in the habit of stopping in all instances about 24 hours at Kingstown, and they were often detained for a much longer time there, during which time every facility was afforded for emigrants coming on board who were not subjected to your inspection; is that the case?—During the last year there were only three vessels from Dublin that put into Kingstown.

5547. During the last year, with the exception of the three vessels that you mention, the emigrant vessels leaving Dublin went to sea directly?—They went to sea directly.

5548. They proceeded upon their voyage?—They proceeded upon their voyage.

5549. *Chairman.*] Were there four persons in the berths of the "Java"?—That is the only thing which has been overlooked, in this way; the passenger broker who chartered the ship was new to the trade, and he had never had any vessel under this Act. I gave my directions to let every thing go on as usual; but I was called away in consequence of the wreck of the "Robert Kelly," and I could not see the things so closely as I ought to have done. The partitions being always put up after the vessel has mustered, I found it out after two or three days, and then sent directions, but it was too late, and this is what I complain of, with respect to Lieutenant Hutchinson. If he had told me that he wished to go on board, or that he had found anything wrong, I could instantly have remedied the evil, but he never did so. If he had given me the slightest hint it might have been remedied. I overlooked it for a short time, but as soon as I found it out, I sent down orders to remedy it, the passenger broker not being aware of the requirements of the law, and it being in point of fact the fault of the carpenter; that is the correct truth, in that case.

5550. Do you not think that it would be better that the passenger decks should be caulked, for if the dirt falls down, bad air is likely to be generated?—On the other hand, I think there might possibly be an advantage if the decks were open, because the cool air from the hold comes up, and makes a species of ventilation; besides which, you have the certainty that in every voyage the decks are new; and supposing that the vessel had had small-pox, measles, or cholera, there might be some infection in the deck which might spread a second time; so that on the whole, I think it is an advantage; the decks are clean every time, and are new; the proof of that is the extreme healthiness with which the emigration from Ireland has been carried on.

5551. Are there many houses on deck?—Some of the vessels have small deck houses.

5552. Do you approve of that?—I do not.

5553. It is desirable, is it not, that there should be more room for exercise on deck, and also that they should not be exposed to the chance of having them knocked away by the sea?—We have no instance of that sort; the emigration from Dublin takes place solely during summer, and it ceases virtually by the end of September. After that there may be a vessel or two going to the southern ports, and different places.

5554. Have you heard anything of the "Java" since she made her passage?—She has arrived in perfect safety.

5555. Did you see an account of her having been spoken with by another ship, and of her having sprung a leak, and been obliged to throw a part of her cargo overboard?—She is reported as perfectly safe.

5556. How many passengers had she on board?—She had 204 souls on board, equal to 180 statute adults.

5557. You have not seen the shipping report in Saunder's Dublin newspaper, stating, that the ship "Java," from Dublin, had sprung a leak, and was obliged to throw a part of her cargo overboard in order to lighten the vessel?—It was reported to me that she had arrived in perfect safety.

5558. Captain *Scobell.*] Do you mean officially reported?—The passenger broker reported it to me.

5559. *Chairman.*] What cargo had she?—Some portion of scrap iron.

5560. What proportion?—She had within a trifle of the proportion allowed by the law; that is to say, two-thirds of her tonnage, nearly 400 tons.

5561. Was

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5561. Was that all the dead-weight she had?—That was all the dead-weight she had. I had a communication with my Board with reference to the cargo of this vessel.

5562. Captain *Scobell.*] She might arrive safely, and yet part of her cargo may have been thrown overboard?—Yes.

5563. Do you think that the proportion limited to two-thirds, as recommended by the Commissioners, is too small or too large?—So far as regards passenger ships, experience will prove that the passengers arrive in much greater safety in vessels that go out in ballast; the great security to the whole Irish emigration is, that the larger majority sail in ballast.

5564. Mr. *Peel.*] You stated that those vessels, after they had disembarked their passengers in America, proceeded to Quebec to take a cargo on board; of what does it consist?—Timber.

5565. Do they proceed in ballast to Quebec?—They proceed with the same ballast.

5566. Would it not be much cheaper if they went direct to Quebec instead of having to make a long voyage in ballast from New York to Quebec?—The owners find it their interest to send them to New York first, and by the time they have landed their passengers they go on and find the St. Lawrence clear of ice.

5567. Is there any risk in going up the River St. Lawrence?—Not if the ice is all cleared away; the vessel is put in charge of a pilot.

5568. Sir *J. Anderson.*] What is the reason that these vessels generally go out in ballast?—There are no cargoes going; if they could get a cargo they would take it.

5569. That is the reason why they take iron?—It is very rare that any vessel takes iron from Dublin.

5570. From the other ports they do?—I am aware that from Liverpool they do take iron.

5571. *Chairman.*] You are decidedly of opinion that it is better for the safety of the ship, and the health of the emigrants, that they should go in ballast?—Certainly, the great desideratum, namely, the conveying of their passengers safely to their destination, is attributable, I believe, to the majority of the Irish vessels going in ballast.

5572. Sir *J. Anderson.*] If all vessels left in ballast, then the charge to emigrants must be greater?—The charge in Dublin is in a great degree regulated by the price in the great emporium, Liverpool; it rules a little higher, some 10*s.*, or something like that, but that is attributable to the difficulty of getting tonnage in Dublin.

5573. Mr. *Peel.*] Do you think that there is any necessity for a revision of the existing passenger law?—I do not; I think that there are some clauses which might be slightly amended.

5574. Will you name what clauses there are which you think might be altered?—I think, with reference to the water, the legal allowance ought to be a gallon for every person, instead of three quarts a day, as it is now legally.

5575. Is any portion of that allowance of three quarts consumed in cooking the provisions; cooking the tea, for instance?—By a recent order of the Board, they have informed the officers serving under them, that the vessel must lay in an additional quantity of water for the cooking of those provisions.

5576. What provisions do you speak of; tea and coffee?—The Board's order is to the effect, that this additional quantity should be laid in for cooking those provisions which are required to be issued cooked by the law.

5577. In the case of your vessels, where you state that a vessel cannot undertake the cooking for the passengers, what course do you pursue?—I have always directed them to lay in a gallon per head, and my wish is that they do use it, and they do the best they can; they follow out the law in that respect.

5578. Do you require them to put on board an allowance of one gallon per head?—I have forced them to put an allowance of one gallon for each person.

5579. Calculating that one quart per head is required for the cooking?—Yes, we serve it out to them.

5580. *Chairman.*] The objection to iron tanks, in which water is best kept, being not only the expense, but the space they occupy, which is wanted for cargo on the return voyage, and a plan of an iron cask that takes to pieces and stows away on that voyage being before us, what would you remark on these various methods of carrying water?—No doubt it would keep much better in iron tanks if

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it could be accomplished; but then there is the expense in the first instance, and you must take into consideration that the vessels sailing out of Dublin are, comparatively speaking, small ships; that they go out in ballast, and if you burthen them with tanks, when they get to their destination what are they to do with them? I have seen iron casks in Liverpool, the heads of which were pine, and I consider that the pine would neutralize to a certain degree the effects of the iron; it would be likely to make the water taste, and it would be much better to be iron altogether. The expense is the thing I look at. I am looking alone to Irish emigration altogether, and not wishing to entail additional expense, because I am convinced that every legal enactment eventually settles down upon the poor emigrant.

5581. The Passengers' Act at present provides for the inspection of the staves, but not of the head?—It provides for the inspection of the whole cask. The instructions are, that the staves may be oak; and the heads are pine.

5582. You would recommend that the heads should not be pine?—I would say that they would be better if they were all oak; but that again would increase the expense.

5583. Still the present head gives a taste to the water?—I should think it does.

5584. Captain *Scobell.*] If the iron be the most wholesome, would not it be better to go to that expense than to let it go on as now?—The voyage, generally speaking, is not so long as an Australian voyage, the passage is a shorter one; but no doubt the water may at times get bad.

5585. What are the class of vessels sailing from Dublin?—They are, generally speaking, colonial-built vessels.

5586. Are they timber vessels?—Generally speaking, the vessels belonging to the port of Dublin are employed in the timber trade.

5587. They are not such vessels as merchants would choose to send out a cargo in?—If they could get a cargo they would carry it.

5588. The merchants would not select those vessels; is that the reason that they do not get cargoes?—There is no great amount of trade in Dublin as a trading place.

5589. They might do as other vessels do, go and take their cargo at Liverpool, and call at Dublin?—That would be very expensive. For instance, supposing you embarked your passengers at Dublin and took them over to Liverpool to take a cargo, all those people are eating all that time.

5590. Do not you think that the greatest loss of all is to go in ballast?—Still at the same time they gain in this way, because it must be remembered, that before the passenger trade commenced they went in ballast, without the passengers. The passengers now are a clear gain to them.

5591. Are the vessels that sail from Dublin, in strength and sea worthiness, equal on the average to the vessels that go from Liverpool, American and English?—The vessels that go from Liverpool are immeasureably superior, no doubt; but then with reference to Dublin, there is hardly an instance of a loss; they have done what they ought to do in carrying their passengers with safety and success to their destination, whereas we see daily the losses which have taken place in those remarkably fine ships; all, I believe, attributable to the heavy cargoes.

5592. Mr. *Peel.*] Are you aware that some of the finest American vessels are colonial-built vessels?—Perfectly.

5593. The "Marco Polo," for instance?—Yes.

5594. Therefore their being colonial-built is no reason why they are not perfectly competent?—Perfectly; the ordeal is as severe as if they were going to be registered at Lloyd's. Several of the surveyors under the Colonial Land and Emigration Commissioners that I have met in Ireland are actually surveyors of Lloyd's.

5595. Do you believe that merchants are unwilling to risk their goods in these vessels?—There are no goods to send out.

5596. Sir *T. Herbert.*] If there were goods to go out they must caulk the deck?—They would; in some ports in Ireland you will find large vessels which carry out a cargo, and then they caulk the deck immediately; but that is to preserve the cargo below.

5597. Captain *Scobell.*] Was the "Java" a colonial-built vessel?—She was a colonial-built vessel.

5598. She

5598. She was of no class?—She was not registered at Lloyd's.

5599. She was built in 1838?—Yes.

5600. Of course she is 16 years old, and very recently she has been what they call sheathed?—She has had a thorough repair, and been sheathed.

5601. You are aware that that is a sympton of a little want of strengthening?—Not at all; she is made available for every purpose of navigation.

5602. Still they only do that to ships that are weakly?—Not at all; I take it that a ship is sheathed because her bottom requires it; that that part is worn out.

5603. What is worn out?—It may be defective from one cause or another.

5604. When a ship is defective she is weakly?—When a ship is defective she is put into the hands of a shipwright, and he remedies that defect.

5605. I understand that she was sheathed?—Yes.

5606. That is the reason why I asked you, whether previous to being sheathed she was in what I call a weakly state; is not it quite clear that they would not have sheathed her unless she wanted strengthening?—Repairs; you mean to say, she was doubled; I mean to say she was only sheathed; she was not doubled.

5607. She was entirely renewed in the bottom?—Yes. I have omitted to state that the sheathing here spoken of means "sheathed with zinc," which is a substitute for coppering.

5608-9. Mr. *Peel.*] The main point is, that the vessel sailed in a perfectly seaworthy state?—Yes. By the report of the surveyors it appears that she sailed in a perfectly seaworthy state.

5610. Captain *Scobell.*] What number of years do these vessels in the colonial trade last without any repair?—I cannot say; it will depend upon the wear and tear of the vessel, and the voyages she has made.

5611. Is there not an average for vessels in general?—No. In Lloyd's register you will find that with reference to vessels, they are put up on the register at Lloyd's for their different ages. An A. 1. vessel may be put for four years.

5612. *Chairman.*] What is the practice as regards the port of Dublin, with reference to the number of hands to tons?—I find in all small vessels of 300 tons the proportion is rather more than four men to the 100 tons.

5613. That includes boys?—There are very few boys; they are almost all able seamen.

5614. Sir *T. Herbert.*] With regard to boys, do they take apprentices in the Dublin vessels?—There is one shipowner in Dublin who does; the others, I believe, do not.

5615. Mr. *Peel.*] You were going to make some practical suggestions with reference to the existing law?—Infants are now allowed no water by law; they ought to be allowed a half allowance.

5616. By infants, you mean children under one year of age?—Yes.

5617. Would you only have two divisions of passengers, adults and non-adults?—The distinction of the law is this: children under one year of age are counted for nothing; between one and 14, they are half an adult, two make an adult; all above 14 are adults.

5618. *Chairman.*] And you would have children under one year on half allowance?—Yes.

5619. Sir *T. Herbert.*] Under 14, two of them count for one; do you mean in point of provisions?—Yes.

5620. From your experience, knowing what boys are at sea, have not boys of 13 an appetite as good as men?—Yes; but in that same family there may be some younger ones who do not eat so much, and what you take from one goes to another. A healthy boy of 12 or 13 will eat quite as much as a man.

5621. *Chairman.*] There has been evidence given here that it would be desirable that what are called medical comforts, preserved meats, or other little delicacies, should be provided for infants?—I dare say it would be a good thing, but the question is the expense; I am under the impression that it will all settle down upon the poor emigrant.

5622. At any rate you recommend that the water should be increased?—Certainly; indeed I find the passenger brokers themselves are willing to do so; I have letters here from shipowners, stating that they think it highly desirable and most proper it should be so.

5623. What is the next practical suggestion which you have to make to the Committee with reference to the amendment of the dietary?—I believe the emigrants will always bring a little addition of their own.

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5624. You do not recommend that meat should be made imperative?—No; from what I have learned of the habits of the Irish people, they do not look to meat so much; if they have a little piece of bacon to make what you call a relish, they are satisfied with that.

5625. You said that you had some suggestion to offer; that with regard to water is the first; what other suggestions would you make for the improvement of the present regulations?—With reference more particularly to the number of emigrants carried on board vessels, I would say that 500 is quite sufficient for any man to take the control of.

5626. What number generally go in the Dublin vessels; do they exceed 500?—The largest ship that we have there is a vessel of 900 tons and upwards; she has never carried more than 460.

5627. On one deck?—One deck.

5628. Mr. *Peel.*] Have you known any abuses arise from the number of 500 being exceeded?—No.

5629. It is an idea that you entertain?—Yes, from what I have seen.

5630. Captain *Scobell.*] With reference to the space now allowed in vessels, is it sufficient in your estimation?—I have often asked the question why 12 feet is only allowed to Canada, and 14 to the United States, and the only answer I have got is, on account of the expense; but it strikes me that, if 14 feet is imperative to the United States, it ought to be to Canada as well.

5631. You think 14 feet ought to be allowed to all?—I do.

5632. Mr. *Peel.*] Do you think that an emigrant vessel ought not to be permitted to leave this country without having a medical man on board?—Certainly, during the time of any epidemic, no vessel ought to leave, having more than 100 passengers, without a surgeon.

5633. *Chairman.*] You would not clear out a vessel with an epidemic on board?—No; but when an epidemic prevails, I should say that she ought not to be cleared out without a medical man.

5634. Mr. *Peel.*] You would not allow a vessel to leave without having a medical man on board?—Certainly not.

5635. During the existence of an epidemic?—During the existence of an epidemic.

5636. Do you mean on board the ship, or in the country?—I mean if an epidemic was known to be sweeping over the country generally.

5637. *Chairman.*] At other times what limit would you put?—I think every vessel carrying 300 passengers ought to have a medical man, even though 14 feet is allowed to each passenger.

5638. Are there any short ships from the port of Dublin?—We have one or two.

5639. Do you think it advisable that that system should be continued?—By the new regulations issued by the Board to which I belong, I am directed to examine those vessels, and though I am not told that I am to see as to the dietary, I should still consider it part of my duty to see that there was provision for them.

5640. They come under some sections of the Act, but not under others?—Not under others.

5641. Mr. *Peel.*] Would you require the report of the surveyors, for instance?—It might so happen that a vessel had her cargo in, and was just on the point of starting when these people came forward, and to call upon the owner then to submit to a survey would involve the discharge of the cargo and everything else. Take the case of a vessel of 500 tons, and supposing she had 20 emigrants on board, and supposing those people offered just at the last when she had her cargo on board, to say that she must submit to a survey, would be a very serious grievance, which the owner would not submit to. Of course, he would discharge all the emigrants at once.

5642. A short ship is not required to be surveyed?—No, it is not required to be surveyed.

5643. *Chairman.*] Do not you think it would be advisable that it be forbidden to put the emigrants in deck-houses in a laden ship?—It will all depend upon what part they might put them in; they might be put in a deck-house in the midships with apparent safety.

5644. Captain *Scobell.*] What number of passengers went in 1853 from Dublin —3,739 passengers, in 21 vessels.

5645. None

5645. None of them were sent to Australia?—No.

5646. They went to America and Canada?—Yes, America and Canada.

5647. By what mode do you ascertain now the efficiency of the crew when you survey a vessel?—After I have mustered the passengers I generally call upon the captain to produce his crew, and I muster them by the articles. Sometimes the articles are in the Sailors' Home, and we cannot get them. I muster the crew, and they pass before me. In a port like Dublin very often the same men return to the vessel. If the master of the vessel states that a man has been with him before, and that he is a good man, that is sufficient for me, I never inquire further; but in the case of any other man, I ask him some question as to seamanship; but the men do not like it, and I have met with positive refusals to answer my questions.

5648. Inasmuch as some vessels have got damaged from the inefficiency of the crews, would not it be desirable that some more direct mode of ascertaining the qualifications of the sailors should be taken, such as sending them aloft, or any other slight evolution, from which you might judge by their motions of their ability?—Going aloft is no proof of a seaman; an apprentice of one year will go aloft as well as a man who is the most perfect seaman on deck. It is no proof of his seamanship his being able to lay out on a yard. I saw the crew of a vessel the other day who were furling the mizen topsail. The men in the quarter of the yard who were bunting the sail I could see were sailors, but it was impossible to say what those at the yard arm were.

5649. You could see that those at the yard arm were not sailors?—Yes; what they had to perform was so simple that any man who had been to sea for a year could do it.

5650. Might not some better test than merely questions verbally be applied?—I find that seamen will not stand that.

5651. I am supposing that they are not seamen, and that they are deceiving you?—They pass under my eye. If a landsman comes forward to me as a seaman I will tell, in 99 cases out of 100, that that man is not a seaman, but I often meet a man who looks like a sailor, but who is not an A. B.

5652. Do you think the mere mode of looking at a man, and asking a question if necessary, is quite sufficient?—I think that is all that can possibly be expected to take place; a great deal is left to the captain; he anxiously desires to have an efficient crew, and he has a great control over them. I am of opinion that if a man came and entered with me as an able seaman, and afterwards, when he got out to sea, I found that he could not do the work and entailed harder work upon others, I would mulct him of his pay, or at any rate I would try to do so, and I think if the matter were brought before a magistrate, a decision would be given in my favour.

5653. Sir *T. Herbert.*] Do you think any security might be afforded in this respect. When you see by the articles of the ship the man's name, and what he is receiving as his rate of wages, the man who enters that person has some knowledge of his abilities, therefore he is paid according to his abilities; and by seeing the articles, would not they be a good thing to go by. It appears that in most cases you do not look at them?—I do when I can get them.

5654. Can you demand them?—I could get them if I demanded them, most certainly.

5655. Do you not think it would be desirable to see them in all cases?—In such a case as this the articles are at the shipping office; and you are pressed for time to clear the vessel, and you say "Very well," on the strength that all is correct in that respect. If the vessel is stopped she loses a tide, and she cannot go to sea, and there is demurrage, and you are naturally not anxious to throw any obstacles in the way of the people.

5656. *Chairman.*] You said that the practice is to have four men to every 100 tons; do you recommend that?—No; I recommend that the custom of the port should be adopted in every case. The custom of the port is, in the case of small vessels, to send four men to every 100 tons. As vessels rise in tonnage, I find by my returns, that in some cases there are only three men to every 100 tons. I have investigated that, and the masters of the vessels state that they can work their vessels perfectly well with that number of men, and even with less hands; they have told me that they have worked across the passage from Liverpool to Dublin in the midst of winter, with fewer hands than three to the 100 tons.

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5657. Captain *Scobell.*] Do you count the boys?—There are very few boys.

5658. Do you count the mates and masters of the vessels?—They are all counted; in the vessels out of Dublin the masters, as well as the mates, are working hands.

5659. Do you count the cooks and stewards?—Yes; as the vessels increase to 800 and 900 tons, they have three men to every 100 tons.

5660. Still much would depend upon the quality of the men; if they were good seamen, a less number would be sufficient?—Yes.

5661. Sir *J. Anderson.*] Do you think it would be wise to legislate upon the subject; to lay down a law that a certain number of men for a certain number of tons should be always on board ship?—I think not.

5662. Captain *Scobell.*] If it is necessary in one ship of 1,000 tons, it is surely necessary in another, is it not?—That depends upon the rig.

5663. I am speaking of a ship?—It depends entirely upon the rig; the Americans sail with two men to the 100 tons quite generally; I think that the custom of the port ought to regulate, to a great degree, any rule in that respect.

5664. Then you condemn the order which the Emigration Commissioners have given?—They have suspended that order; with respect to the loss of the "Tayleur" I attribute it to her being unmanageable.

5665. Captain *Scobell.*] Do you mean on account of her construction?—She was not in trim, that is the plain matter of fact, she would not answer her helm.

5666. *Chairman.*] Do not you think it might be a good plan to have a bond upon the captain, that if he found his vessel unhandy at sea he should return to port?—He is the responsible man.

5667. Do not you think that would be an advisable regulation?—I certainly think the captain ought to be made responsible for the vessel, and that if anything happens it should light upon his head.

5668. Sir *T. Herbert.*] Is it your opinion that the taking of apprentices should be re-enacted in the merchant service?—As forming the best ground work for recruiting the marine, I should say most certainly.

5669. Captain *Scobell.*] What is for the welfare of the Navy, must ultimately be for the benefit of the nation, and the mercantile marine?—Yes.

5670. *Chairman.*] Would the same purpose be at all answered by a regulation to allow no man to be rated A. B. under a certain number of years' service?—I think he should be rated A. B., according to his ability.

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*Jovis*, 1° *die Junii*, 1854.

MEMBERS PRESENT.

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|---|---|
| Mr. J. O'Connell. | Mr. Liddell. |
| Captain Scobell. | Mr. Hankey. |
| Mr. G. A. Hamilton. | Mr. Monckton Milnes. |
| Mr. Peel. | |

JOHN O'CONNELL, Esq., IN THE CHAIR.

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Mr. *William Watson*, called in; and Examined.

Mr. *W. Watson.*

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5671. *Chairman.*] YOU are, I believe, Managing Director of the Dublin and Liverpool Steam Packet Company?—I am one of the Managing Directors.

5672. You wish to offer some evidence to the Committee in reference to the deck passages of emigrants?—I do.

5673. Can you state the number of passengers that your company carry distinguishing them for a year or any given space of time?—I have a return made out for the last year, and I find that we provided for carrying 108,232 deck passengers from Dublin to Liverpool. There were others who travelled with cattle

cattle without payment, which we do not take into account; in the same year we carried 65,865 from Liverpool, making an aggregate of 174,097 of that class of passengers.

5674. Have you any data by which you can tell, even approximately, what proportion of those deck passengers were emigrants to America?—I assume that the excess of those brought from Dublin to Liverpool over those carried from Liverpool to Dublin were emigrants; that would give about 40 per cent. of the deckers as being emigrants.

5675. You have a model of one of your steamers; will you have the goodness to show the Committee where your emigrants are placed upon it?—The deckers of course must go upon the deck, but as far as we can we give them some shelter; this (*producing the same*) is a model of the "Princess." It was originally built for carrying the mails between Liverpool and Kingstown, and when the mails were transferred to Holyhead her large cabins became unnecessary in a vessel then to be used for cargo; it was first proposed that we should shorten the poop and extend the main deck; however, it occurred to me that it would be better to let the poop stand, and remove the interior fittings, and such portions of the cabins as we did not require for that station, and to appropriate the sheltered space for deck passengers or for cattle.

5676. Mr. *Liddell.*] What is the tonnage of the "Princess"?—Six hundred and thirty-six tons gross measurement.

5677. Captain *Scobell.*] Where does she run to now?—From Liverpool to Dublin.

5678. Mr. *Hamilton.*] Those arrangements of which you speak were made for the convenience of the deck passengers when the steamer was transferred for the purpose of conveying passengers, and not the mails, between Kingstown and Liverpool?—Yes, to make her more useful on her present station; and the orders are, as far as practicable, to assign this space to the deck passengers.

5679. *Chairman.*] What is the amount of room there?—About 100 square yards; we did not remove any of the deck erections whatever; the skylight was left standing, and of course there is very good ventilation when the windows are open.

5680. Do you make any additional charge when you put the passengers there?—No.

5681. Captain *Scobell.*] How many passengers will that space hold?—One hundred and fifty could easily get shelter.

5682. *Chairman.*] How many passengers does the certificate of the Board of Trade allow the "Princess" to carry?—About 350 deckers.

5683. Captain *Scobell.*] Do you propose to have any seats?—No, nothing but the covered deck. The orders of the directors are, that as far as possible the women and children should be put under cover, and the men outside.

5684. *Chairman.*] Those covered places on the model, the deck-houses, are for cattle?—Yes, they are called the stables.

5685. Captain *Scobell.*] Those covered places on the deck are intended for cattle if you have any?—Yes.

5686. If you have not any cattle they are intended for passengers?—Yes.

5687. If you have both cattle and passengers you give the cattle the preference?—We cannot have them both in the same places.

5688. But the cattle would be sheltered, and the deck passengers would not be sheltered?—Yes; by the Board of Trade regulations, for every head of cattle that we carry we are obliged to carry two passengers less.

5689. What number of cattle would be under cover?—Two feet are required for each; there would be from 60 to 80 head of cattle under cover altogether.

5690. How many passengers would you be allowed to take?—Twice that number.

5691. The novelty of that model is, that space in the midships of the vessel?—Yes, precisely.

5692. You never use that for cattle, do you?—Yes, if we have not passengers.

5693. *Chairman.*] There are deck-houses forward of the paddle-boxes, and abaft the paddle-boxes; are they all used for cattle?—Yes, they are appropriated either to cattle or passengers; and besides they prevent a great deal of water breaking over the vessel among the deck passengers. I may mention to the

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Committee that what suggested the idea of these stables was this; when the Queen visited Ireland, in 1849, we were required to take over the horses, and we put up similar erections on the deck of the "Royal William," and finding them to stand so well, we have left them ever since.

5694. Were not they knocked away in the case of the "Eblana"?—Yes, the small deck-houses of the "Eblana," in a very severe passage, were knocked away.

5695. Captain *Scobell.*] Is the "Princess" running now?—She is getting new boilers at present; she has been laid up for boilers for some months. The "Prince," a similar vessel, is running.

5696. Is she fitted in the same way as the "Princess"?—Yes.

5697. Are there any vessels not so fitted which run from the same port to the same port?—Yes.

5698. Do passengers flock to your vessels?—Yes.

5699. Do you run for the same money as the others?—Yes.

5700. Have you ever known, in your experience, any deaths or serious illnesses take place from the exposure to which the passengers are subjected?—I have never known but one instance. There was an instance of that sort some years ago which occurred on board the "Duchess of Kent"; it was the case of a boy who had been removed from a poorhouse in a bad state of health, and he died on the passage; but he was delicate.

5701. I suppose the "Princess" is faster than the ordinary boats?—No, she is not.

5702. I thought, that being a mail packet, she might be of a better construction?—No.

5703. Do you know her speed?—Between eight and nine knots an hour, which is rather a slow steamer for the present day.

5704. *Chairman.*] How often do you carry cattle?—Generally speaking, every voyage.

5705. Do you carry cattle, and pigs, and sheep?—Yes.

5706. Live stock of all kinds?—Yes.

5707. When the cattle are on board in the stables, whatever surplus of deck passengers there is over what can be accommodated under the half deck abaft, must, of course, be on the open deck?—Yes.

5708. Are there tarpaulins?—Yes, but I do not think much use can be made of them in bad weather; they are liable to be blown away.

5709. Captain *Scobell.*] Do you ever put pigs in that open space abaft the funnel?—Yes.

5710. Is not the smell very bad when you put passengers there the next voyage?—The class of deck passengers are not so fastidious as to that; we have at present running between Kingstown and Liverpool a special passenger boat every second night, and in the summer every night; and when our vessels sail from the North Wall, if their number of deck passengers is complete, we have an arrangement with the Kingstown Railway for sending the overplus to Kingstown at the same rate as if they embarked at the North Wall, and we find the greatest difficulty in inducing them to go that way.

5711. *Chairman.*] In the first-class passenger boat there is no deck covering for them?—No.

5712. Captain *Scobell.*] In that space is there any means provided for the running off of the urine and the droppings from the cattle?—No, they must come outside.

5713. And the deck is impervious to water?—It is.

5714. Is that any improvement, do you think?—The passengers are very glad to have the accommodation of shelter.

5715. *Chairman.*] Have you had anything to do with the fitting of steamers for troops?—When troops are to go across we always carry them, but there are no extra fittings required.

5716. Have any of your vessels been taken up for the purpose of conveying troops to the East?—No.

5717. Have you seen the arrangements on board the vessels which are sent out by the Colonial Land and Emigration Commissioners, carrying Government emigrants?—No, I have not.

5718. Captain *Scobell.*] Have you ever had any accident with any of your steamers

steamers from England to Ireland, or from Ireland to England, so as to cause a great detention between the two countries?—Occasionally there are accidents.

5719. What has been the longest passage, in consequence of such an accident?—I do not recollect any prolonged passage in consequence of an accident of that kind; we have had, in the course of our history, two accidents attended with loss of life between Liverpool and Dublin, in the last 30 years. One happened last year; the case of the "Queen Victoria."

5720. What was that accident?—In a snow storm she ran against the "Hill of Howth" and sank, and about 60 persons lost their lives. The other accident occurred about 16 years ago; that was the case of the "William Huskisson"; she foundered in mid-channel. There were about six persons on board in a state of intoxication, who were unable to avail themselves of the means of escape, and they consequently perished.

5721. Do you allow passengers to bring spirits on board?—We do not make any objection to it; in fact they can purchase spirits on board.

5722. Then, in fact, they may get drunk?—Yes, they may.

5723. Do you find that they avail themselves of that opportunity?—No. I may state that it is our wish to give as much cover over these spaces as is practicable, but there is some difficulty lest we should interfere too much with the supply of air to the engine room.

5724. How is the "Princess" rigged?—She is schooner-rigged.

5725. *Chairman.*] Have you any arrangement with respect to limiting the number of passengers according to the greater or less proportion of cattle?—The regulations of the Board of Trade provide for that.

5726. What is the greatest number of passengers that you take in one vessel?—The number of cattle might be so large that we would have no room for any deck passengers, and it is frequently the case that we load some vessels exclusively with cattle, and assign another vessel for the deck passengers.

5727. Mr. *Hamilton.*] Have you given attention to the regulations of the Board of Trade bearing upon the conveyance of deck passengers?—The regulations of the Board of Trade merely limit the numbers in the hope that the passengers will be better accommodated. When we first adopted this plan for the protection of the passengers, we thought that as we afforded more space, it would be fair to claim the right of carrying a larger number than was then allowed in our certificates. I made an application to the Board of Trade on the subject, but failed in obtaining that right, and the consequence was at that time, as of course we could not sail our ships empty, we were forced, in order to carry out the regulations of the Board of Trade, to put the passengers on the exposed deck, and the cattle in this covered space. At length, after some difficulty, the regulations were altered, and we now can put the passengers in the covered space.

5728. *Chairman.*] Are you not very frequently obliged to refuse a number of deck passengers in consequence of the vessels containing the number allowed by the Board of Trade?—It is the commonest thing possible; the inconvenience to the company of limiting the number of deck passengers is nothing; the inconvenience to the passengers themselves is great.

5729. Is it also the case that there were certain regulations adopted by the Board of Trade, in consequence of some experiments with respect to them made by your company?—Yes, for the safety of the passengers.

5730. What were those regulations?—The first is the carrying of distinguishing lights at night; that originated with our company 20 years ago. It is now very properly made compulsory on all steamers. Our's was a bright light on the starboard bow, a red light at the port bow, and a bright light on the masthead.

5731. Mr. *Hamilton.*] Is there not an obligation on sailing vessels to carry lights?—There is not, unfortunately.

5732. Captain *Scobell.*] Have you not sometimes passengers only on board your steamers, and no cattle?—Merely in those first-class boats plying between Kingstown and Liverpool; we never sail a boat on the North-wall station with passengers only.

5733. Do you do so on other stations?—Yes.

5734. In that case, how much of the deck do you give the passengers?—Up to the break of the deck.

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5735. Are the passengers allowed to go aft of that railway (*pointing to the model*)?—Not in the first-class passenger boats.

5736. In fact two-fifths of the boat is not open to them?—The raised deck is not open to the deck passengers; that is assigned to the cabin passengers.

5737. Mr. *Hamilton.*] Would it be desirable, in your opinion, that sailing vessels should be obliged to carry lights?—I think it most important for the safety of sailing vessels, for the safety of steamers, for the safety of the owners, and for the safety of the public. We have been a long time urging that matter upon the attention of the proper authorities, and I think in the last Steam Act there was additional power given to the Board of Admiralty to prescribe regulations for sailing vessels having lights at night; but it has ended merely in a regulation that sailing vessels shall show lights when other vessels are approaching, but we find from experience that they either neglect altogether to show them, or they do not show them in time, or if shown they are insufficient. In illustration of that I should be glad to refer to a case which occurred last year, in which our mail packet, the "Prince Arthur," on a very stormy night, in going from Kingstown to Holyhead with mails and passengers, was struck by a sailing vessel not far from Kingstown Harbour, and one of her wheels being completely disabled, she had to be towed across the Channel in consequence. She very narrowly escaped sinking; had she been struck at another part of the ship I think she would have been sunk.

5738. Had a light been shown in that case?—The case was referred to arbitration, and the arbitrators did not agree amongst themselves. The arbitrator on one side prepared a statement of his view of the evidence to put before the umpire, a copy of which reached my hands, which I should be glad to read to the Committee; I may mention that the commander of the steamer is a lieutenant in the Royal Navy, and had been commanding a packet on the same station before we obtained the contract. "The steamer had, beyond all doubt, a look-out on each side of the bridge, and another look-out man on the quarter-deck; this last man was also to assist at the wheel if required; the captain had never left the deck from the time of the vessel starting from Kingstown until the collision took place; indeed he had not quitted the bridge two minutes before the light was reported, and then he was instantly again on the bridge, and I do sincerely think (believing as I do that the schooner was on the steamer's starboard bow and close to her before they could by possibility see her light) that he gave a very proper order when he directed the steamer's helm to be put to starboard, expecting, no doubt, that it was the most probable way to avoid a collision. You have just heard the evidence read, from which you will have learnt that the steamer's lights were all well trimmed and in good order, and the schooner admits they saw three miles off. Now I am totally at a loss to imagine what by possibility, on the part of the steamboat, could have been done to prevent such an accident as the one we are here to inquire into. Just let us inquire what was done on the part of the schooner to prevent such a dreadful or similar accident. By the evidence of the captain, whose voice cannot be heard three yards, when the steamboat was observed approaching him, he, the captain who had charge of the watch on deck, ran below to find a lantern to show a light to mark the vessel's position. You would naturally expect in such a channel, and in such a night, there would at least have been a lantern properly trimmed and lighted, ready to show at a moment's warning; but what are the facts? the captain runs down into the cabin and finds a lantern with a lamp in it, so bad that he takes the candle off the cabin table and places it in the lantern; lighted with this light he proceeds to the deck, and shows it over the side near the main-rigging, which, in my opinion, bad as the light was, was the means of its not being seen sooner by the steamer, as I have no doubt the foresail of the schooner, which was set, intercepted their view. It is true, as stated, they held a light, and at last that light was seen by the steamer, but, unfortunately, too late to prevent the collision. Now as to the light they so held, it was by the captain's own evidence a candle; what sort of a candle? Why a dip. A dip by the captain's own evidence. Is this using the necessary precaution to prevent accident?"

5739. Captain *Scobell.*] Who had to pay the expenses of the damage?—The steamer; they were about 300 *l.*

5740. *Chairman.*] With reference to inquests which are held in cases of accidents,

accidents, do not you think it advisable that nautical men should be upon the jury, or, at least, some proportion of nautical men?—Most important; the men who commonly sit upon juries cannot form any opinion at all. I should be glad to put before the Committee another regulation required by Act of Parliament for the safety of the public, so as to give the merit of it where it is due, that is, to Mr. C. W. Williams, who founded the company 30 years ago. I allude to the water-tight bulk-heads. This is a paper which was read by Mr. Williams before the British Association in 1837. (*The paper was delivered in.*) The signal lights established now by Act of Parliament were always in practice by our company, and life-buoys likewise.

*Vide* Appendix.

5741. What number of life-buoys do you supply to your vessels?—From 50 to 70 cork belts, besides Carte's life-buoys.

5742. What number of boats do your steamers take?—The number required by the regulations of the Board of Trade.

5743. Captain *Scobell.*] Do you ever find passengers provide themselves with those cork belts?—I never heard of it. In the only instance which I recollect cork belts having been used they were not successful. That was the case of the "Adelaide," coming up the Thames from Cork; she was totally lost, and every person perished; the bodies of only four persons were picked up, and they all had those belts on.

5474. Have you not a model which you can produce to the Committee of a safety plug for ships' boats generally?—Yes; this (*producing the same*) is a model of the plug. It occurred to me, after the unfortunate accident with the "Queen Victoria," that when a boat was lowered into the water there was a difficulty in finding the plug for the plug hole, and I was anxious to devise some means by which there might be a self-acting plug. It is a piece of India-rubber, secured in this way (*explaining it to the Committee*).

5745. Captain *Scobell.*] Have you ever had such a trial of it in haste and confusion as to show that it does answer the purpose?—Yes; we had a trial of it which was in every respect satisfactory. I understand it has been stated in evidence before the Committee, that the regulations of the Board of Trade with regard to the number of deck passengers are constantly violated by our company. I would wish to give a very decided contradiction to that statement; it is utterly untrue.

5746. *Chairman.*] I asked you a question respecting that matter just now, knowing from my own knowledge that persons have been refused by your company, and you have already stated that you have been obliged to refuse parties?—Frequently. We had an application from the Admiralty agent in Dublin last March to carry some troops. He says, "Steam conveyance being required from this port to Liverpool for detachments of the 41st and 47th regiments, to embark on the ensuing 16th instant. The troops to be accommodated under deck, and rations to be provided for them on the usual terms, and forage for the horses, &c. An immediate answer is requested." The secretary says, in his answer, "In reply to your requisition for steam conveyance to Liverpool for detachments of the 41st and 47th regiments, on Thursday next, I beg to offer the 'Royal William' for the service. I have to observe that the 'Royal William,' though one of our largest vessels, is not allowed under the certificate of the Board of Trade to carry more than 332 passengers, exclusive of cabin passengers."

5747. That is, deck passengers?—Yes, deck passengers. "As your letter states that the number of men requiring transport will be 369, it will be necessary that 37 should take their passage in some other of the company's vessels leaving for Liverpool the same evening, either from the North Wall at nine o'clock, or from Kingstown at 7 p.m." The Admiralty agent, in answer to that letter, says, "With reference to your letter of the 13th instant, respecting the conveyance of detachments of the 41st and 47th regiments from this port to Liverpool, by the 'Royal William' steamer, the strength of said detachments being about 16 officers and 369 men, which number I consider the 'Royal William' to be fully capable to accommodate conveniently, the vessel being given expressly for the troops; and, as those detachments are ordered to be transhipped to the steamship 'Taurus,' at Liverpool, it would therefore much inconvenience the public service if the few soldiers (about 37) beyond the number she is allowed to carry by the Board of Trade should be left behind. Besides, it is a question of some doubt whether the regulations of the Board of

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Trade apply to vessels employed by the Government for the conveyance of troops, and which in many instances might be attended with inconvenience to the public service." Of course, on the receipt of that letter, we allowed them to go.

5748. Is that the only case in which you have exceeded the number allowed by the certificate of the Board of Trade?—There was another case which occurred about the same time, a very remarkable case, and it is also an illustration of the strictness with which our officers carry out the regulations of the Board of Trade. There were some troops going to Liverpool with their wives, and after the number was complete, there was one poor woman who wanted to go with her husband, but was refused a ticket, and she was in such a state of distraction in consequence, that the superintendent did allow her to embark in the vessel, exceeding by one the number allowed by the certificate. I think it has also been stated by a witness before this Committee that the hatches in our vessels have been closed over the deck passengers.

5749. My recollection is very strong that that statement referred to emigrant ships generally, and not to your company particularly; it is in the evidence of Mr. Finch on the 30th of March; I think there is some inaccuracy in the Report?—I have merely to state that such a thing never occurs.

5750. If your emigrants are on deck, there is no possibility of it?—They sometimes go between decks; in the instance to which I have referred when those troops were sent over, all the men had to go below.

5751. If such a statement has been made, you contradict it?—Yes.

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*Lunæ*, 12° *die Junii*, 1854.

MEMBERS PRESENT.

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|---|---|
| Sir James Anderson. | Mr. John O'Connell. |
| Captain Scobell. | Mr. Peel. |
| Sir Thomas Herbert. | Mr. Vernon Smith. |
| Mr. Monckton Milnes. | Mr. Liddell. |

JOHN O'CONNELL, Esq., IN THE CHAIR.

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Captain *Michael de Courcy*, R.N., called in; and Examined.

Captain *M. de Courcy*, R.N.

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5752. *Chairman.*] YOU are Emigration Officer at the Port of Queenstown?—I am.

5753. How long have you been so?—Since the 1st of April 1854.

5754. Previously to that, were you emigration officer at the port of Belfast?—Previously to that I was at Belfast; since the end of June 1852.

5755. Were you in the emigration service before the passing of the present Passengers' Act?—I was in the service a short time while the Act of 1849 was in operation; from June till October 1852.

5756. What is your opinion, so far as you have been able to judge, with reference to the working of the present Passengers' Act?—I think it to be an improvement upon the late one in many respects.

5757. Are there matters that appear to you still to require amendment?—Some sections of the Act appear to require some amendment and improvement.

5758. Evidence has been given with regard to certain apparent defects, to which I will call your attention. I will begin with the question of adults. It has been recommended by more than one witness before this Committee, that there should be some alteration in the mode of computation of what are called statute adults. It is thought that counting two children at 14 years of age equal to

to one adult, is rather too much; that children require a space, and that the limit ought to be lower than 14 years of age?—I think that the limit ought to be lower than 14 years of age.

5759. What age would you propose?—Ten or 12 years.

5760. It has been stated by some witnesses, that the limit should be as low as seven years of age?—I think that would be a still greater improvement. I would also propose that infants under 12 months old should count as half adults as well, for space, provisions, and number.

5761. It has been recommended by some of the witnesses, that children down to the age of one year should be considered to have the full space of an adult, and infants half the space of an adult?—I think that all infants under 12 months ought to have the space of half an adult.

5762. Do you consider the present space given to adults sufficient?—No, I do not.

5763. The present space allowed in vessels going to America is 12 feet?—It is 12 feet, or 14 where there is no surgeon. If they choose to give 14 feet it shuts out the surgeon. I should recommend 14 feet at least in all cases.

5764. With regard to vessels crossing the tropics, what space would you recommend?—Sixteen or 18 feet.

5765. Is it your opinion that it is well not to insist upon a surgeon, where the space given is larger to each adult?—I should recommend that a surgeon should be insisted on in all cases where the number of adults is above 300, including the crew and cabin passengers.

5766. With reference to the manner in which the emigrants are treated on board ship, do you consider the present dietary scale sufficient?—I do not.

5767. Is it insufficient in point of food or in point of water?—I should recommend a slight increase both of water and food.

5768. Would you recommend that meat should be given?—I would recommend two meat dinners in a week.

5769. With regard to water, the present supply is three quarts; would you recommend that any alteration should be made in the quantity of water allowed?—I would recommend a gallon of water to be issued daily, to cover waste and leakage, and expenditure in that way. Water will not serve out as correctly as it is measured in, certainly.

5770. Should that gallon of water a day include the water for cooking?—It should include everything. At present the quantity allowed is three quarts. The law officers of the Crown have given it as their opinion that the water for cooking should be found by the ship; but the shipowners turn round upon us, and say the Act of Parliament says three quarts; and by the time you have served out three quarts of water, the ship's water would not exactly hold out, if she had 70 days' passage to America. I have generally been enabled hitherto to get a little increase; sometimes I have got a daily allowance of a gallon throughout the voyage of 70 days; in other cases I have obtained 3½ quarts.

5771. Would you propose that the four quarts should be served out, and one quart returned by the emigrant, or that three quarts should actually be given to him?—I would propose that three quarts should be given to the emigrants themselves, and one quart reserved for cooking purposes. With regard to the passengers to America, they have a very great aversion to other people cooking their provisions; in nine cases out of ten they prefer cooking their own messes themselves.

5772. Is it very practicable for passengers to cook for themselves where there are women and children and old men?—In many cases it is impracticable; and in most of the cases I have known of ships putting back from disasters, the complaints have been very numerous with regard to cooking. It would be a good thing if the ship could give to every emigrant a pint of tea or a pint of cocoa every morning; that and their biscuit would fortify the poor people and keep them up, whereas many of them now have to wait till the latter end of the day before they can get anything to eat, in consequence of the rush of people to the cooking places.

5773. Would you recommend that all the provisions should be supplied by the ship, so that there should be no dependence upon the passengers bringing a portion of the provisions on board themselves?—I think it would be an improvement if the dietary were so increased that the people could really live upon the diet issued, and I think it would be a saving to the emigrant in the long run;

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he would not be put to that loss in the event of shipwreck and disaster at sea that he is now. If emigrants are wrecked now they lose their provisions, and they cannot go to sea again because they have no sea store; and it is impossible for them to live upon the present scanty allowance.

5774. The present scale in the Act was intended as the minimum?—Yes.

5775. Practically, it turns out to be the maximum?—It is the maximum; it never exceeds that quantity; there may be a few pounds of breadstuff over.

5776. When a ship first sails, possibly the passengers may do with the supplemental food they bring themselves; but your recommendation is, that inasmuch as in case of shipwreck they may lose that, and when they have to return find the scale provided insufficient, for want of the additional food they had at first provided themselves, the scale should be increased so as to make them independent of anything they may themselves provide?—Yes.

5777. It has been recommended that the small utensils that the passengers use, such as tins, and little pots and pans for their food, should be supplied by the ship, upon the ground that those things are often bought by the emigrants at the moment of starting from persons on the quays, who sell them bad articles?—I believe that to be the case, but it might so happen that they would not get better articles if they were supplied by the ship. It might tend also to increase their passage-money, and I think it would be better to confine any increase of expense of the passage-money which might occur to the provisions alone.

5778. With regard to the medical arrangements, have you anything to suggest; do the hospitals seem to be well constructed?—They are generally as well constructed as is practicable in the ships. I would recommend, on all occasions where practicable, that the hospital should be on the upper deck. In some ships there are very good deck-houses, and, where practicable, I think those deck-houses should be appropriated for the purpose of the hospital.

5779. Would you have passengers in the deck-houses?—No, I should prefer their being carried on the main deck only.

5780. You would not recommend a two-deck passenger ship?—No, only one deck, no matter what the size of the ship.

5781. Have you seen many ships sail with passengers in deck-houses?—I have.

5782. Have you heard of cases of suffering in consequence?—No, I cannot say that I have. The deck-houses that I have seen, I should have preferred to the deck myself.

5783. Speaking of poop-houses, you distinguish them from the poop-cabins?—I mean the deck cabins amidships.

5784. With regard to the water-closets on board emigrant ships, have you seen them on the upper deck?—All that I have seen have been on the upper deck; I have never seen any below; they are forward, and in the forepart of the ship, probably abreast of the fore rigging.

5785. Have you heard of cases of the water-closets being easily knocked away by the sea in bad weather?—I have.

5786. And of consequent suffering to the passengers, especially to the female passengers?—The female passengers must no doubt suffer a good deal, in regard to the privations which they undergo in that respect.

5787. In the Government emigrant ships the water-closets are between decks?—I have never seen a Government emigrant ship. I have been informed that the water-closets are so placed.

5788. Complaints have been made of the liability of the water-closets to get out of order when between decks, from the ignorance and carelessness of the people; do not you think that might be greatly remedied if a special steward were appointed to attend to the water-closets below?—No doubt a person appointed for that purpose could do a great deal in that way; but from the ignorance of the emigrants, I think they would be soon apt to disarrange the whole apparatus.

5789. There is no difficulty in getting additional stewards, is there?—There is no difficulty in getting stewards; the great difficulty at present is in getting seafaring men, and no good seafaring men would go to sea in that capacity; with regard to other people, there is no difficulty whatever; they generally go out at the low wages of 2*s.* or 1*s.* a month.

5790. You

5790. You say there is a difficulty in getting seafaring men for working the ship; my question was not as to getting seafaring men to act as stewards?—The Act says that we are to get seafaring men for passenger cooks and stewards; there may be a difficulty in doing that, in consequence of the great scarcity of seamen; there is no difficulty in getting other parties as passenger cooks and stewards.

5791. They will go for the sake of their passage?—For the sake of their passage, or anything beyond that they may get.

5792. Some ships have lately put back into the port of Cork, have they not?—Yes, there were two in the early part of May; the "Break of Day," and the "James L. Bogart," two American ships, from Liverpool, bound to New York.

5793. In what condition were they brought in?—They encountered a gale on Easter Monday, I think in about 35° west, as near as I can tell, and they got dismasted; they lost their topmasts, lower yards, and sails, and were obliged to bear up again to the coast of England. Those two vessels put into Cork; I saw another ship going past the port of Cork, I suppose bound for Liverpool; she did not put in at all; she was not so much wrecked as the other two were.

5794. Do you know what cargoes those vessels had?—Both of them had iron cargoes.

5795. Have you any notion of what the proportion of the cargoes were to the tonnage?—The "James L. Bogart" had, I think, between 700 and 800 tons of iron on board; I think her tonnage was between 1,200 and 1,400 tons.

5796. The present instruction of the Commissioners is to limit the cargo as much as possible to two-thirds of the registered tonnage?—Yes.

5797. Do you think that a sufficient limit?—I do not.

5798. What would you recommend?—I would recommend that the limit should be to a third or a half of the registered tonnage; I am perfectly convinced that the cargoes of iron are the principal causes of disasters at sea to passenger ships.

5799. Have you known a number of vessels damaged in consequence of that?—Four have come under my notice in that way, two at Belfast, and two at Cork; three American ships, and one British ship.

5800. You would recommend that the limit should be one-third, or at least one-half?—Yes, at the utmost, one-half of the registered tonnage.

5801. Did you board those two vessels which you before mentioned?—I did.

5802. How did the arrangements appear below; was there a bulkhead separating the sexes, as the Act requires?—There was when they came in.

5803. Did the other requirements of the Act seem generally to be complied with?—There were complaints about the provisions not having been served out on board the "Break of Day." There were a great number of complaints, too, of ill-usage on the part of the crew towards the passengers.

5804. Captain *Scobell.*] Was she an English vessel, or an American vessel?—She was an American vessel.

5805. *Chairman.*] Did those vessels appear to be well manned?—Yes, they appeared to be well manned in point of number. The crew of the "Break of Day" were a very mutinous, troublesome, riotous set of characters.

5806. Did they appear to have three men to the 100 tons?—They appeared to have fully that number. I did not muster their crew, for they were in that insubordinate state that there was hardly the power of doing anything with them.

5807. Sir *T. Herbert.*] Were the crew foreigners?—They were principally foreigners; some Americans and some foreigners.

5808. In vessels which have to cross the tropics, you recommend that there should be 16 to 18 feet allowed to each passenger; and in vessels going to North America you suggest 14 feet?—Yes.

5809. I think you stated that, to have a surgeon in a vessel, there should be 300 people?—Yes, 300, including the crew and the cabin passengers.

5810. As far as the dietary is concerned, am I to understand you that you would prohibit the passengers taking any diet on board themselves?—No, I would not prohibit the passengers taking any diet on board themselves.

5811. When they take such things as fish on board, do not they breed a great deal of filth and dirt?—Yes, I think that would be likely to do so.

5812. You recommend that the dietary should be served out regularly by the vessel?—Yes.

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5813. You recommend that the passengers should have their breakfast cooked and served out to them, instead of their going to the galley, every one with his tin, making his own tea?—Yes.

5814. In what way would you have the dinners served out. I think you said you would have two meat dinners a week?—I would recommend the following dietary: a gallon of water a day; 3½ lbs. of biscuit weekly; 2 lbs. of flour weekly; 7 lbs. of oatmeal weekly; 3½ lbs. of rice weekly; 4 oz. of tea weekly; 1 lb. of sugar weekly; 1½ lb. of pork weekly; 2 pints of peas weekly.

5815. To what age would that scale of dietary apply?—For adults and half adults, that is up to the age of either 10 or 12 years.

5816. Mr. *Peel.*] Would you recommend that for all emigrants, or only Irish emigrants to America?—I would recommend it for all emigrants.

5817. To all parts of the world?—To all parts of the world.

5818. Sir *T. Herbert.*] What allowance would you recommend to persons under the age of 10 or 12?—I would recommend half the allowance under that age.

5819. Captain *Scobell.*] Do you think that the dietary would be sufficient to prevent the necessity of the emigrants supplying themselves with any more?—I think for the North American voyage it would be, but I think that passengers going to Australia ought to get more meat in a week.

5820. Do not you think it would be preferable that the dietary should be sufficient to prevent the passengers taking anything on board of their own, even if it increased the passage-money a little, because they would save the price of those things that they are now obliged to buy?—I think it would.

5821. Sir *J. Anderson.*] Do not emigrants very often get food, without paying for it, from their friends and relatives?—I could not say that they do always.

5822. But do not they frequently do so?—I am not aware; it is possible they may.

5823. Mr. *Peel.*] Did I understand you to say that many of the passengers have to wait till evening before they get their provisions?—Some of them very often have to wait till the evening before they can get a chance at the fires to cook their provisions.

5824. But the issue is made regularly every morning?—Yes, generally before two o'clock; the water is generally issued as soon as the decks are cleaned in the morning.

5825. Do you think that the 33d section of the Passengers Act with regard to the issue of provisions in a cooked state could be improved in any way?—I think it could be improved. I would put the passengers' breakfast allowance in the coppers, and have it boiled and served out to them; a pint of tea or cocoa in the morning, which would keep them warm during the day; instead of that I have often had complaints that the women have had to wait till late in the day before they could get anything cooked.

5826. Would you subdivide the daily issue into what is an allowance for breakfast, and what is an allowance for dinner?—I would have the breakfast allowance put in the coppers and boiled for the passengers, and issued from the coppers.

5827. What is there in the dietary scale to show what is meant to be taken at breakfast or any other meal in the day?—The tea and sugar in the present dietary scale would point out that they are to be taken in the morning at breakfast, and biscuit.

5828. Should you propose that those particular articles should be considered as the breakfast, and be issued at an earlier hour?—The provisions are supposed to be issued before two o'clock; they would probably have their bread issued a day before; then if the ship supplied them between seven and nine o'clock in the morning with their allowance of tea or cocoa, they would then be able to get their breakfast.

5829. Captain *Scobell.*] You would give them a separate quantity of provisions for dinner in the same way, previously cooked and served out simultaneously to the different messes?—Yes.

5830. Something similar to the way in which it is done on board a man-of-war?—Yes, as nearly as possible. I know that there would be great difficulties, in consequence of there not being the same regularity and order on board an emigrant ship that there is on board a man-of-war. The families on board an emigrant ship get their provisions by ticket.

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5831. Mr. *Peel.*] Would you have a double issue each day?—No, because the provisions for Tuesday would be issued on the Monday afternoon before two o'clock. I would give them their issue a day in advance.

5832. Captain *Scobell.*] From your knowledge of the system pursued on board a man-of-war, do you think there could be any difficulty in pursuing the same system on board an emigrant ship?—I think it might very soon come into force and vogue. I think there might be a little difficulty at first.

5833. When it was an established habit, it would drop into a custom that would be easily carried out?—Yes.

5834. Mr. *Peel.*] Do you propose that the provisions, instead of being issued before two o'clock in the day, or when they are consumed, should be issued on the afternoon of the preceding day?—Yes.

5835. What would each emigrant do with his provisions during the night?—I propose that the breakfast allowance of the day should be put into the coppers for them; and with regard to the other provisions, they could take as much care of them in night as of any other part of their stores. They have their own sea-stores and their boxes to stow them in.

5836. Captain *Scobell.*] An arrangement might be made that the cook of the vessel, under proper precautions, should be supplied with the day's allowance for the whole of the passengers, for the morning tea and sugar, and that would go into one copper, everything except the bread, and the cook would put it all into the copper together, and then serve it out in divisions, and the dinner the same; the meat might be given in the gross to the cook, and then served out by weight; and the pea soup or anything else in the same way?—I think it might. They generally form committees in those vessels among the passengers to insure their getting their right things.

5837. Sir *J. Anderson.*] Have you sailed in an emigrant ship yourself?—Never. What I have stated I know from the captains. They have generally told me that as soon as they get to sea committees are formed.

5838. Sir *T. Herbert.*] Have you yourself heard any complaints from emigrants or their friends upon the subject of the dietary; of the way in which they have been treated in going out?—Yes, I have often heard complaints on that subject; that there is great difficulty in getting the provisions cooked, and that they have to wait to get their provisions cooked.

5839. Captain *Scobell.*] You have been asked if you have any experience in emigrant vessels, which would enable you to say how this proposition about cooking the provisions would work, and you stated that you had no personal experience of emigrant vessels; but I apprehend that your experience and judgment are formed upon what you know takes place on board Her Majesty's ships?—In some measure.

5840. You are quite aware that if in a man-of-war it was a custom to allow the sailors or marines to take on board part of the provisions, and cook them at irregular hours, it would create great confusion?—It would.

5841. Are you of opinion that the same simple system which is pursued on board a man-of-war, might be, though not quite so perfectly, yet in a great measure, carried out on board emigrant ships?—I think it might be so.

5842. You were asked sometime ago about the water; we have had exhibited before us here an iron cask, which iron cask can be shaken and bound up like a wooden cask after it is shaken; after the water is out of it; do you think it would be a salutary arrangement that a certain portion of the water should be carried in iron casks, particularly as they afford such facility for stowage?—I think undoubtedly it would be a great improvement.

5843. Mr. *Peel.*] The water would become very much discoloured after a time, would it not?—I am of opinion that water carried in clean iron tanks is not so likely to discolour as cask water.

5844. *Chairman.*] At present the heads of the casks may be fir, or any soft wood?—Yellow pine is generally used.

5845. There is no regulation with respect to that; the law only enables you to look at the staves of the casks, and not the heads?—Only the staves, but we have a specification from the Commissioners respecting the heads.

5846. Captain *Scobell.*] You was asked about utensils, whether it was better that the ship should provide them, or that the passengers should provide them for themselves; and your reply was, that you thought the passengers might do it. I would ask you whether, on the ground I am going to put it, it might not be better

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better for the vessel to find them; if the vessel finds them, they would be there for the next set of passengers, and the same utensils would be for some time successively employed for different sets of passengers; whereas the passengers must buy them now at a considerable expense, and they are comparatively useless to them at the end of the voyage?—I am not aware that they are useless to them at the end of the voyage, because they can take them to their cottages in the country.

5847. At all events, they are uninformed at the beginning of the voyage what is necessary for them, whereas the master of the ship would be able to make proper arrangements?—I said that I did not think by the ship finding them they would be of a better quality.

5848. Do not you think it would be well that the officer should inspect the vessel, and see that the arrangements are proper?—Yes; with regard to the ship providing the utensils and keeping them, that might be very applicable to American ships from Liverpool; but there are a great number of British ships which carry passengers one year, and probably do not carry passengers again for a year or two, but are employed elsewhere, when those utensils would not be wanted. I saw a ship which left Belfast; she was provided with all those little wooden kidds, and she kept her own fittings from year to year.

5849. Was that found to answer satisfactorily?—I thought them very convenient and handy for the passengers.

5850. With respect to the water-closets, you said that they were generally abreast of the fore-rigging; are the women's water-closets and the men's water-closets together?—They are all in the same place, generally.

5851. Do not you think that some arrangement could be made, for the sake of decency, that the women should have a place to retire to separate from the men?—I have seen in some ships the women have one side of the ship, and the men the other; but that is a very limited restriction; nobody can control them.

5852. Unless you had more than one water-closet on a side?—I have generally seen one to every 50 people.

5853. It has been suggested that, if the women's water-closet is on deck, it should be aft, between the mainmast and the taffrail?—I saw them abreast of the mainmast in one ship, the "Guiding Star," which put into Belfast last year with cholera on board, and they were certainly a great nuisance in that part of the ship.

5854. Were they for women only?—They were for women only.

5855. With respect to ventilation, the Act requires that some decided arrangement should be made for ventilation; do you find that any arrangement is made for ventilation?—Yes.

5856. What is the best mode that you have observed on board any vessels?—I have observed the iron ventilators with moveable heads, which can be trimmed according to the wind; and I have also seen, in some of the American ships, where they carry passengers on two decks, a hole cut in the deck, with a grating to admit the air.

5857. You have no specific plan that you would suggest as the best mode to be adopted?—No, I have not. I think that ventilation can be best regulated according to the ship, when you see her.

5858. You think that each ship should have its own system of ventilation?—Yes; I think it would be very difficult to lay down any fixed plan for ventilation beyond the iron funnels.

5859. With regard to life-boats, have you generally found the life-boats sufficient?—Yes, I have. I think that those I have seen are very efficient.

5860. Are they of the proper size?—I think the scale required is quite large enough.

5861. As a sailor, I would ask you a few questions on some practical matters which have been stated before the Committee; we have had various opinions as to the number of men that ought to be carried in general emigrant ships, including those going to America and Canada, for every 100 tons; how many, in your opinion, would be a proper number, so as to have an efficient crew?—I would recommend three men to every 100 tons, exclusive of the captain, mates, carpenters, cooks, and stewards.

5862. And boys?—I would include the boys in that number; that is, boys above 14 years of age.

5863. It has been stated in evidence that the inspecting officer goes on board before

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before the ship sails; that he musters the crew, that he asks them questions, perhaps has a list of their names and wages before him, and he satisfies himself by that, and that alone, that the crew is efficient. Do you think any other wise and expedient test might be taken, such as making them go aloft, or doing anything that would, by their gestures or their ability of doing that thing, better enable the officer to judge of their capacity than by the mere muster?—I hardly think it necessary, because I find that the captains very often know the abilities of the men whom they ship, either from the shipping-master or other parties, and my belief is this: that if that was to be resorted to, as soon as the emigration officer left the ship those men would go on shore. I think they would get an idea that they were to be drilled by a Government officer.

5864. But the master's opinion of his crew might not be correct; he is an interested party; it is his interest to make the best of them, and report them better, perhaps, than they are?—You can generally judge whether a man is a seaman or not by his appearance and manner.

5865. Sir *T. Herbert.*] Would not looking at the ship's articles, and judging of the wages given, be a guide as to the efficiency of the crew?—I think so.

5866. Do you yourself inquire for the articles of the ship?—I do.

5867. Do you find any difficulty in getting them?—No; I see them, and I have the crew mustered by the articles.

5868. Opposite to the name of each man there is what he is, an ordinary seaman so much a month, or whatever he may be; and from the appearance of the man, and the wages he gets, you judge of his ability?—Yes.

5869. Captain *Scobell.*] In the number you have stated which you would think advisable to every 100 tons, how many of them should you desire to be able seamen. Supposing a vessel is 1,000 tons burthen, she would require 30 men and boys upwards of 14; how many able seamen would you consider necessary?—I think fully a half.

5870. Sir *T. Herbert.*] Do you make any distinction between vessels going to America, and vessels going to Australia, with respect to the number of men that they should carry for every 100 tons?—No, I would not make any distinction; I think that the ships going to America require as strong a crew as ships going longer voyages, because they have worse weather to contend with.

5871. That would depend upon the time of the year?—If you take any part of the year it is bad enough.

5872. In summer time there is often heavy weather?—In summer time there is often heavy weather.

5873. Captain *Scobell.*] I believe the voyage between England and America is as heavy and as bad as any voyage?—It is.

5874. It has been given in evidence that the "Tayleur" was shipwrecked; she was a vessel in some respects of a new construction; would you think it desirable, if not altogether to prevent the accepting of vessels for emigrants that have never been at sea, at least to do so in the case of vessels of a new and novel construction, before they have been tried in some way?—I do not think it would be necessary to try vessels built of wood; probably in the case of iron vessels of a particular construction it might be necessary, but not in the case of vessels built of wood.

5875. However novel their construction may be?—No.

5876. Supposing, for instance, that the "Tayleur" had been built of wood of the same model that she was, and the same length and proportionate breadth, do you think that would have made any difference in the steerage, and the various other defects which were found to exist in that vessel?—I am not prepared to give an answer to that question.

5877. If it did make no difference, would not there be the same reason for preventing a new and novel-shaped ship built of wood from going to sea with passengers, without being tried as an iron ship?—I heard that there was a defect in the "Tayleur's" rudder; that might have some effect. As regards the general run of the build of ships, I do not think it would be advisable to try ships built of wood, but I do think it would be advisable to try ships built of iron.

5878. The first question that I put was, whether a ship of a new shape and arrangements should not, before she is trusted with a cargo of human beings, be tried without them; and I took the case of the "Tayleur" as an instance, where the passengers were all shipwrecked in that new and novel ship?—I do not think it would be necessary for vessels built of wood.

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5879. *Chairman.*] Do you think it would be well to insert a provision in the bond which the master of the ship enters into, that when he has got his ship to sea and finds her unhandy, that she will not stay, or wear within the proper compass, or other defects making her unhandy or unseaworthy, he should be bound to return?—That would answer all the purpose, because if the master did find that the ship was unhandy, he should be under a bond to put into port again, and have the defect rectified.

5880. Mr. *Peel.*] Supposing the vessel had gone a considerable way on her voyage, it would be a very inconvenient obligation that she should be obliged to return home?—The master of the ship would ascertain any defect which existed before he had gone far on his voyage; for instance, in the case of a vessel sailing from Liverpool, the master would find it out before he got to Cork.

5881. Captain *Scobell.*] Would not the master be slow to bring his vessel back, and would not the remedy be shorter to say that the vessel shall be tried in some way, rather than bring her back after she has the emigrants on board?—I do not think it is imperatively necessary.

5882. In no case?—As a general rule, I do not think it is necessary.

5883. Taking as an exception the case of the "Tayleur," do not you think it would have been wise that a trial should have been made of her before she went to sea?—As things have now turned out, apparently, it would have been.

5884. Might not things turn out in the same way again, under similar circumstances?—Such things, of course, might happen again; what has happened before might occur again.

5885. Is not it lamentable that hundreds of people should be drowned, rather than that a vessel should be tried, if she be of a novel shape?—Of course it is lamentable.

5886. The "Tayleur" was known to be a new ship; as to length, she was of an extraordinary length, and various of her equipments were novel, and particularly her model was a very untried one, and turned out very bad, and cost the lives of many of the passengers; would not it be wise, in such cases, to have some precaution as to the ability of the ship?—Probably it might.

5887. Mr. *Peel.*] Does not the Act require that a vessel shall be surveyed before she is employed as a passenger ship?—Yes.

5888. Is not that a sufficient protection?—Yes, but the surveyors can form no idea as to how the vessel will stay.

5889. *Chairman.*] In the case of the "Tayleur," she was found unhandy the day before she was wrecked?—Yes.

5890. It has been stated in evidence that it is impossible to compare the passengers' lists, in consequence of some want of concert between the American and English Governments, to know what number of passengers finally make the voyage; but by sect. 58 of the present Passengers' Act the brokers are bound to deliver passengers' lists to the emigration-offices every month; do they do that in time sufficient for you to examine the lists generally?—Yes, they deliver them quite time enough; it is by those lists that we muster the passengers, and they are of no use to us before the passengers come, because we do not know how many will come.

5891. What time of the month are they delivered to you?—The passengers' lists are given to us when we go on board to muster the ship, before going to sea.

5892. Have you heard any complaints of the sale of spirits on board emigrant ships?—I have only had one complaint on that head.

5893. Has your attention been directed to emigrants going to take passage in Liverpool or other places?—Yes, it has.

5894. Have they any protection on the deck of the steamers against the weather?—In the Cork steam ships they have a tarpaulin which hauls over part of the way from the bridge forward, but I should not think that a very good protection against the weather.

5895. What is the length of the passage from Cork to Liverpool?—From 30 to 36 hours, I think.

5896. The passage to London is nearly three days, is not it?—The passage to London is nearly three days.

5897. In both of those passages, the deck-passengers are exposed to the weather,

weather, with only the insufficient supply of tarpaulins of which you speak? —Yes.

5898. At the same time there are frequently quantities of cattle and a cargo? —Yes.

5899. The consequence is, that the vessel is not only crowded, but the deck passengers are incommoded by the quantity of passengers on deck?—They are.

5900. Are the cattle generally taken care of?—They are stowed down the lower hold and between decks, and the upper deck as well.

5901. Under housing?—Yes, under housing.

5902. Are they better taken care of than the deck passengers?—Yes, apparently they are.

5903. Have you seen large quantities of cattle with large quantities of deck passengers?—No; I never saw large quantities of cattle with large quantities of deck passengers.

5904. I wish also to ask you with respect to pigs and sheep, which do not exactly come under the denomination of cattle; live stock generally?—I have seen live stock on the decks of vessels going out, and passengers also.

5905. In large numbers?—Yes; but I believe when they have a number of passengers they generally exclude part of the cattle on the upper deck.

5906. Could you form any notion of what quantity of cattle they would allow with passengers?—No, I could not state any definite quantity; still they carry the two combined.

5907. In considerable numbers?—Yes, in considerable numbers at times.

5908. And the cargo stowed below besides?—Yes; and the cargo stowed below besides.

5909. With regard to cooking for the passengers on those protracted Channel passages, is any good provision made for providing means of cooking for those deck passengers?—That does not come within the sphere of my duty.

5910. How have the provisions of the Passengers' Act of 1852 worked with regard to the runner system?—With regard to the 68th section, I find a slight defect in the wording of the Act. It says, in the middle of the section, that the passage-broker "shall at least once in every month transmit a true copy of such list, duly signed by him, to the emigration officer stationed nearest to the place of business of such licensed passage-broker."

5911. Do they send that list to you in time?—They do not, because by the Act, if they send it in the last day of the month it saves them from the penalty. When at Belfast, I insisted on it that the brokers should send the return before the 5th of every month; and if they employed no runners, they were to state that in the return; and if they took on runners after that, they were to make a second return.

5912. Has that provision been equally evaded in Cork?—They have sent me their returns at Cork for the last month. I have found no attempt at evasion.

5913. Have they sent the runners' list in sufficient time?—Not the first month, but they did the second; but that was on my sending round to them.

5914. Would you think it well that those runners should carry badges?—I think they ought all to carry badges like ticket porters and luggage porters.

5915. Mr. *Peel.*] What is your objection to the 68th section of the Passengers' Act?—My objection is, that it says they shall at least once in every month send in that return, and if the broker was to send it in the last day of the month, and I was to take him before a magistrate, he would not be committed. If the return was sent in in the beginning of the month, I should then know whom he had employed as runners, and if any of the emigrants were ill treated, I should then have some hold upon them.

5916. Have you not a list of those runners?—Yes, at Belfast. I knew every runner in the place.

5917. *Chairman.*] You found that they made no practical difficulty when the thing was insisted upon?—No.

5918. Mr. *Peel.*] Is it usual to change the runners every month?—Yes, every month; and probably the runners may be working for two or three different agents, receiving fees and commissions from two or three different people.

5919. Of course you could at any time obtain a copy of the list in the broker's office by sending for it?—Yes; but I have no one to send. I should have to

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go myself. If they were to send us a list of the persons they employ on or before the 5th of the month, we should have notice of it in our offices, and we should be better prepared to protect the emigrant.

5920. Captain *Scobell.*] Would you prohibit a runner being employed by more than one person at a time?—Yes.

5921. *Chairman.*] The Cork police have adopted the plan of stopping the runner, and inquiring who he is?—I do not know what is the case at Cork; at Belfast they have got the power to do so.

5922. With regard to the classification of ships, do you find generally that the vessels taken up for private emigration are good seaworthy vessels?—Yes, generally.

5923. Are they classed at Lloyd's?—Yes, they are classed at Lloyd's.

5924. Are they classed high?—Sometimes they are on the first letter, and sometimes on the second. I have only known two vessels rejected since I have been under the Commissioners.

5925. Are there many North American built vessels in the trade?—Yes, fancy there are; especially from Liverpool.

5926. Are they taken up after 12 or 13 years?—I have never known any taken up after that.

5927. With regard to the detention money, is it your opinion that the proportion of detention money is sufficient?—No; I am of opinion that it is not sufficient, more particularly when passengers are thrown on shore after disasters at sea.

5928. You are of opinion that it is not sufficient in any case at first?—I am of opinion that it is sufficient in the case of ships not being ready in time to receive passengers, but when any accident occurs and the passengers have to be landed, I think they should get 1 *s.* 6 *d.* a day instead of 1 *s.*

5929. What is the particular ground of that distinction?—The particular ground of that distinction is that passengers may be landed at Cork, for instance, a long way from their homes.

5930. Passengers may be re-landed?—Yes; I know a case in which they were re-landed a long way from their own homes and friends, and many of them on their detention money travelled home, and on that they would have to travel back again, and probably lay in some sea stock again if they could.

5931. But they had consumed their own private stores?—They were all consumed or lost during a gale; the vessel was a month out.

5932. Captain *Scobell.*] Would 1 *s.* a day to each passenger be sufficient in England as well as in Ireland?—I do not think 1 *s.* a day would go as far in England as in Ireland, but I do not see how you could draw the difference.

5933. If you do not draw a difference, would it not be right that the rate should be somewhat increased, in order that the vessel might go to sea at the time appointed?—It might have that good effect certainly.

5934. Mr. *Peel.*] It has that effect at the present time?—Yes, I think it has.

5935. Captain *Scobell.*] Does it cost the owners of the vessel 1 *s.* a day for each passenger while they are on board?—No.

5936. Have you any idea what it does cost them at the present price of provisions?—No, I could not form an exact estimate. It is within the shilling, I know, because the brokers would rather have the passengers on board than pay them the detention money on shore.

5937. Mr. *Peel.*] They would have to pay the wages of the crew as well?—They are paid monthly by the ship.

5938. It is not for the interest of the ship, therefore to remain in harbour?—No, I do not maintain that it is the interest of the ship to remain in harbour, but very often the fittings and things are not ready in time; then under those circumstances the passengers are not put on board, and till they are they pay them 1 *s.* a day; but the parties paying that would prefer putting them on board the ship, and putting them on the ship's provisions.

5939. The fact of raising the detention money would in no way accelerate the departure of a vessel, because it is the interest now of the charterer of a ship to get the vessel off as fast as he can?—I think it might act as a stimulus towards getting the ship ready if the charterers knew that after a certain day they would have to pay a higher detention money.

5940. *Chairman.*]

5940. *Chairman.*] At what period would you have that increase commence?—From the date of the contract ticket.

5941. Captain *Scobell.*] Are not the passengers on shore liable to a good deal of imposition; and they cannot get themselves supplied with beds and food so reasonably as if they were acquainted with the place where they happen to be?—That is the case.

5942. Therefore in that case they require more money to maintain themselves than another person who is not a stranger?—Yes.

5943. *Chairman.*] With reference to what are called short ships, vessels that only come under certain sections of the Act, and not under others, it has been stated in evidence that by reason of their not coming under all the provisions of the Act there have been great abuses; do you think it advisable that the exemption should be done away with?—I have had no experience that would induce me to say so.

5944. Have you had any experience of any bad results from the exemption given to vessels carrying mails or bags of letters?—No.

5945. With regard to Cork, would it not be very advisable, with respect to Irish emigrants at least, that the passengers should be taken up from the Government depôt there by vessels coming from Liverpool, or other ports?—I think it would be advisable.

5946. It would save a good deal of suffering on the voyage, would not it?—Yes.

5947. I believe Mr. Murdoch has been in Cork lately, looking out for a building for the purpose?—Yes.

5948. There was a private depôt established there some years ago, was not there, by Mr. Brunard?—Yes, some years ago.

5949. Did it do well?—I know nothing of it.

5950. Mr. Brunard has given a great deal of attention to the subject of late years?—Yes.

5951. Mr. *Peel.*] Of late years?—He conducted the depôt several years ago; I do not know how many years ago.

5952. *Chairman.*] In regard to putting back in cases of wreck, the passengers are not entitled to a passage again?—No.

5953. Are they entitled to detention money?—No; I think it is a very hard case. I think the law ought to entitle them to another passage in case of shipwreck.

5954. Captain *Scobell.*] With respect to Cork being a Government depôt, is it likely, if it were so, that the vessels would sail from there originally, or that they would be principally those vessels coming from Liverpool and other ports? Do you think Cork would supply by its own trade emigrant vessels enough to meet the requirements, or would it be dependent upon vessels coming from Liverpool and other ports?—No, I do not think Cork would be able to supply the requisite number of ships.

5955. If it depended on Liverpool vessels and others calling there under certain circumstances, especially in winter, and heavy gales of wind, and thick weather, do not you think it would be excessively inconvenient, and sometimes impracticable, for a vessel to call there?—Such cases might arise from the nature of the weather.

5956. Mr. *Peel.*] You see no objection to Irish emigrants being sent direct from the ports of Ireland?—None.

5957. *Chairman.*] I believe vessels frequently have to put into Cork from all the ports, even the western ports of Ireland?—Yes, such has happened; for instance, Limerick vessels might be able to get into Cork, and not into Limerick again, and Sligo in the same way.

5958. Captain *Scobell.*] I am supposing gales of a fair wind and thick weather; a vessel might be inconvenienced by being obliged to stop at Cork?—Certainly, it might be inconvenienced by it.

5959. Sir *T. Herbert.*] Have you any idea of the number of emigrants that go from Cork in a year?—I have a return here showing the number, which I will read to the Committee.

[*The same was read, as follows:*]

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| DATE. | SHIPS. | NUMBER OF EMIGRANTS. | DATE. | SHIPS. | NUMBER OF EMIGRANTS. |
|---|---|---|---|---|---|
| 1834 - - | 39 | 5,969 | 1846 - - | 53 | 6,797 |
| 1835 - - | 33 | 2,159 | 1847 - - | 114 | 18,601 |
| 1836 - - | 47 | 6,276 | 1848 - - | 91 | 11,627 |
| 1837 - - | 54 | 7,507 | 1849 - - | 84 | 9,721 |
| 1838 - - | 19 | 1,616 | 1850 - - | 64 | 8,049 |
| 1839 - - | 31 | 3,041 | 1851 - - | 79 | 12,462 |
| 1840 - - | 37 | 5,643 | 1852 - - | 61 | 9,535 |
| 1841 - - | 51 | 8,132 | 1853 - - | 45 | 6,882 |
| 1842 - - | 48 | 7,400 | 1854 - - | 11 | 2,096 |
| 1843 - - | 20 | 1,100 | | | |
| 1844 - - | 34 | 2,200 | TOTAL - - | 1,064 | 141,666 |
| 1845 - - | 49 | 4,853 | | | |

5960. Have you any idea of the number of emigrants that embarked at Cork for Liverpool and London?—I cannot state positively the indirect emigration, but I am told it averages 100 weekly, if not more.

5961. Captain *Scobell.*] Do those numbers represent those that embark in Ireland and go to England afterwards, or those sailing direct from Cork?—Those sailing direct from Cork.

5962. *Chairman.*] Have you any recommendation to make to the Committee with respect to the Passengers' Act, beyond those which you have made?—No.

5963. Sir *T. Herbert.*] Did those that sailed go in American ships or British bottoms?—Some in each.

5964. With respect to the emigration from Cork, do you suppose you would find in the Cove a sufficient number of vessels to be hired to take the passengers out to America?—No, I think not. For instance, during the present year there have been three vessels come from Liverpool to Cork expressly to take emigrants.

5965. Then the Emigration Commissioners would have to hire vessels in England?—Yes, they would have to hire vessels in England, and the vessels would have to call at Cork to take up the emigrants.

5966. They could get some vessels in some of the Irish ports?—Yes; I know one vessel at Belfast that was taken up by the Commissioners.

5967. Was she sent to Liverpool?—She was in Liverpool at the time she was taken up. She was a Belfast ship, taken up in Liverpool.

5968. Captain *Scobell.*] Do you find the sailors come as fast or faster to emigrant vessels to enter as they do to ordinary merchant vessels?—They appear to come as fast to one ship as to another.

5969. Do the emigrant ships generally carry apprentices?—Not always.

5970. Do you think it desirable that they should do so?—Yes, I think it is desirable.

5971. I hold a return in my hand, which shows that the apprentices in the year 1850 were 31,636, and since the repeal of the Apprentice Law they are now diminished, in the year 1854, to 13,826. Do not you think that is to be regretted, so far as the supply of seamen goes?—I think it is.

5972. And, on the whole, you think it would be desirable to promote the employment of boys as apprentices?—Yes.

5973. And that would apply to Her Majesty's service as well as to the mercantile marine?—Yes.

5974. Mr. *Peel.*] You have given some statistics with regard to emigration from Cork; are you in possession of the statistics of emigration from other ports as well?—Not at present.

5975. Do you know at all the amount of the private emigration from the ports of Bristol, Plymouth, and Southampton in the years 1852 and 1853?—I do not.

5976. I hold in my hand a return of the private emigration from Bristol, Plymouth, and Southampton in 1852 and 1853, which is as follows: 1852, Bristol, 3,899; Southampton, 617; Plymouth, 3,824. 1853, Bristol, 2,099; Southampton, 1,610; Plymouth, 2,381. It was stated by a former witness that the private emigration from Bristol in the years 1852 and 1853 was greater than

than that from both Southampton and Plymouth in those two years; whereas it appears from the return which I have read that the private emigration from Bristol in those two years was 5,998, while the private emigration from Plymouth and Southampton in those two years was 8,432; therefore that witness must have made an incorrect statement?—Yes, it appears so.

5976*. Captain *Scobell.*] Of your own knowledge you cannot speak to the accuracy of those figures?—No.

5977. Sir *T. Herbert.*] Do you know anything about the proportion of passengers that go from Cork to Bristol?—No; I know that the Bristol steamers do not carry many deck passengers.

5978. Do you think it would be desirable that all those vessels going to Liverpool and London carrying passengers should not carry live stock when there are a certain number of passengers, so that there should be accommodation for the passengers in bad weather?—I think the live stock ought to be excluded, so as to give the passengers under-deck accommodation. I think the term deck passengers ought to be changed to steerage passengers.

5979. Captain *Scobell.*] A strong recommendation has been made in evidence that the bond entered into should be higher, and that it should be given by the owners; do you think that is a desirable recommendation?—The bond is at present 1,000*l.*

5980. It has been strongly recommended to the Committee by Mrs. Chisholm that the bonds should be for a larger sum?—I think the sum of 1,000*l.* is quite sufficient.

5981. That lady also recommended very strongly that the emigrant ships should be licensed; do you think there would be any advantage in that?—No, I do not see that there would be.

5982. She recommended also that the vessels should be marked on the outside conspicuously what class they are in Lloyd's book, in order that the emigrants might know in what class of ship they were embarking?—I do not think one-half of them would know what it meant when they embarked.

5983. The other half would, perhaps?—No, I do not think they would.

5984. Are there any places for the purpose of passengers washing their hands and faces?—No.

5985. Or their clothes?—No.

5986. Do not you think it desirable that some arrangement should be made to afford an opportunity for washing both the persons and clothes of the passengers when necessary?—I think it would be attended with advantage, certainly.

5987. There are no such arrangements now?—No; a good deal would depend upon the weather.

5988. Might not some arrangement be made?—I think it would be a good arrangement, certainly.

5989. Sir *J. Anderson.*] Are they prevented from doing it?—No; there are no absolute arrangements made for it; but I never heard that there was any hindrance or impediment.

5990. Captain *Scobell.*] If no arrangements are made, does not that amount to an impediment?—No.

5991. If no arrangement exists for the purpose of affording the means of washing to hundreds of passengers, does not that amount to an impediment?—I have never seen any hindrance.

5992. Would not the absence of the conveniences be an impediment?—To a certain extent it would; but it would not be a restriction upon their doing it, if they had tubs of their own.

5993. They must have water?—They have salt water for washing.

5994. Are there any stipulations or arrangements made with respect to the passengers obtaining air and exercise?—There is an abstract of the Queen's Order in Council, that they shall get up in the morning at certain times, and roll their beds up, and all that sort of thing.

5995. Have you reason to think that it is carried out, so that the health of the passengers is thereby preserved?—Yes; I have never heard any complaints on that head.

5996. After vessels sail you seldom hear what becomes of them?—No, unless they put back.

5997. You find the single men and single women so separated that they cannot have commucation with each other, either by the eye or in any other way?—In all the ships that come under my superintendence I have had a bulkhead,

Captain *M. de Courcy*, R. N.

12 June 1854.

so as to separate the place for the single men from that of the single women; on the last day a bulkhead has been put up, leaving it open, with railings at the top, but closed as far as the lower portion is concerned.

5998. How deep do they come down?—About a foot or 15 inches from the beam, probably 5 ½ feet from the lower part of the deck.

5999. So that a man of your own height would not be able to look through the lower part of those openings?—He would be able to look over.

6000. The vessel being only about six feet under the beam, and lowered down a little way, a man standing up might see into the adjoining apartment?—Yes.

6001. Could not some arrangement be made by which the berths of the single men and women might be altogether away from one another?—The single men are all forward, and the women are berthed abaft in the extreme afterpart of the ship.

6002. And the married people in the centre?—Yes.

6003. Then the single men could not see the single women through those openings, if they are not in the adjoining apartment?—No.

6004. *Chairman.*] Have you seen any difference between American and English ships with reference to the housing over the hatchways?—Yes.

6005. The American ships have a kind of booby-hatch, with ports or doors at either side, so as to be able to keep the lee doors open?—Yes.

6006. Does that arrangement obtain on board English ships?—No.

6007. Would not it be advisable?—I think it would be a very good protection against the weather, and would give ventilation also. I should wish to offer a suggestion to the Committee with reference to the subject of passenger ships putting into the port of Cork in distress, and with sickness on board; there have been many cases of late years where ships have put in with fever, cholera, and small-pox, and I have here many reports on those cases from the examining surgeon of Queenstown.

6008. What are the chief facts brought out in those reports?—The object of the reports is to show the necessity of having a hospital arrangement afloat for providing for the sick emigrants.

6009. Do you mean by hulks?—Yes, by hulks.

6010. Has that subject been mooted before?—I believe it has; the Government consented to give the hulks, provided the port of Cork would keep those hulks up; but the port of Cork is in a peculiar situation; it is on the high road to the British North American Colonies and the United States, and all the ships from Liverpool meeting with disaster at sea generally put in there when they can; ships from Dublin and Glasgow, and German ships from the Elbe have put in there, and there is no means of meeting the expenses, and I wish to suggest to the Committee whether a small tax could not be put on the passenger broker agents; even a tax of a penny in the pound would create a hospital fund sufficient to defray all the expenses.

6011. At any rate, you think that Cork and Queenstown have fair claims that the expenses should not be charged exclusively on them?—Yes; and if the objection should be raised, "Why should it be done for Cork?" it might be so arranged as to put 3*d.* in the pound, and create a hospital fund for any port that required it.

6012. Mr. *Peel.*] You recommend a floating hospital?—Yes.

6013. Have the authorities of Cork objected to the landing of cholera patients?—Yes; in the case of the "Kossuth," there were great objections last year; and with regard to the "Guiding Star," at Belfast, there was a great excitement in the town, when the mayor of the town supported me in landing the people from that ship.

6014. *Chairman.*] You and the mayor endeavoured to have the people landed, and did land them?—Yes.

6015. There was a great feeling of excitement on the subject?—Yes; we landed about 56 people, and a great number of dead bodies; and I think there were about 29 deaths altogether.

6016. Belfast would come in for one of those hospital ships?—If it were made general; but I do not think that Belfast requires it to the same extent that Cork does. The "Guiding Star," which I mentioned as putting into Belfast, was a very solitary case.

6017. A great number of vessels engaged in all trades put into Cork?—Yes.

# APPENDIX.


## Appendix, No. 1.

Paper delivered in by Captain Schomberg, R.N., and referred to in his Evidence, 4 May 1854:
Fire Engines, Fire Stations, and Boats - - - - - - - - - - p. 165

## Appendix, No. 2.

Paper delivered in by John Ryan, 12 May 1854:
Passengers' Contract Ticket - - - - - - - - - - - - p. 167

## Appendix, No. 3.

American Hospitals:—Annual Report of Admissions, Discharges, and Deaths at the Marine Hospital, with Nativities and Diseases of Patients, for the Year 1852 - - - p. 168

## Appendix, No. 4.

Paper delivered in by Mr. William Watson, 1 June 1854:
Improvements in the Construction of Steam Vessels - - - - - - - p. 169

## Appendix, No. 5.

Paper delivered in by H. Watson, Esq., Mayor of Limerick:
Passenger Ships Cleared from the Port of Limerick for the States and Canada - p. 172


## Appendix, No. 1.

PAPER delivered in by Captain *Schomberg*, R.N., and referred to in his Evidence, 4 May 1854.

### FIRE ENGINES, FIRE STATIONS, AND BOATS.

Appendix, No. 1.

THE undersigned emigration officer at the port of Liverpool, strongly recommends to the masters of passenger ships leaving the port, the adoption of the following precautionary directions respecting boats, fire engines, and fire stations:

#### I. FIRE ENGINES AND FIRE STATIONS.

I. The fire engine should be rigged at least three times a week; and worked in washing decks and pumping through the water-closets. It should on no account be unnecessarily used for small purposes to injure it, as a head-pump is sufficient for all ordinary washing purposes.

II. The crew should be told off in gangs of six, eight, or ten, as the numerical strength, and the capability of the men, will permit. Each gang should be placed under the command of one of the mates and the boatswain. A nominal list of each gang should, on putting to sea, be made out and given to the officer who is to command it.

III. In the event of an alarm of fire the several gangs should immediately fall in, and proceed to their respective stations and duties, viz.:

1st mate with first gang. To go to the spot on fire, ready to act, taking with them (if any on board) the fire annihilators.

2nd mate and second gang with carpenter. To rig and work the fire engine, or force pumps. The carpenter to provide axes, and prepare for scuttling the decks.

3rd mate and third gang. To collect fire-buckets, tubs, and to fill them; and by means of head-pump to fill cistern, baths, &c.

Appendix, No. 1.

Boatswain with fourth gang of picked men for the purpose, to prepare for getting out boats, and for shortening sail, as commanded by Captain.

The cook to put out the galley fires.

The surgeon and his assistant to make preparations for removing the sick and the females, and for keeping the emigrants in order.

The schoolmaster (if one on board) and the single men (emigrants) to prepare for passing up beds, and wetting them to smother fire.

The constables to close all scuttles and the stern ports, and to assist in keeping order amongst the emigrants, and making them generally useful.

The captain to command the whole operation. He should place his ship either before or by the wind, as his judgment may dictate. It is of course desirable to have but little way through the water for lowering boats. The captain will also bear in mind that his powder, spirits, &c., will have to be disposed of.

*N.B.*—No cabin passengers should ever be allowed to read in bed with a naked light. No spirits should ever be opened in the hold; the cask should always be hoisted on deck for that purpose.

## II. Boats.

I. Ships' boats leaving port in good order can only be maintained in an efficient state by having water constantly in them when hanging at the quarters and stern. They should have sails spread over them to protect them from the sun during the heat of the day.

II. The oars and boat-hooks should be kept in the boats always. The thowell pins or crutches, and the plug should be lanyarded. The rudder should be slung, and the gear be seen frequently—mustered by coxswains—and reported to the captain correct. The tackles for hoisting out boats at a short notice should be kept ready for use, either in the long-boat or close at hand, and no lumber whatever should be put into the boat.

III. At all times, when at sea or in a tideway, a boat rope from forward should be passed into the quarter-boats, whereby, when lowered in a hurry, they are prevented from going adrift with one man; and the boat can be steered and kept under command, and prevented from swamping while the crews are stepping in, and boats loading.

IV. The crew should be told off and stationed, and a coxswain appointed to each boat, and as soon as practicable after putting to sea, a list of the crew for each boat should be made out in the subjoined form, and given to each coxswain.

*C. F. Schomberg*, Captain, R. N.,
Government Emigration Officer.

Government Emigration Office, Liverpool,
June 1853.

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LIST OF BOATS' CREWS.

| LONG BOAT. Names of Crew. | PINNACE. Names of Crew. | 1st LIFE BOAT. Names of Crew. | 2d LIFE BOAT. Names of Crew. | CUTTER. Names of Crew. | JOLLY BOAT. Names of Crew. |
|---|---|---|---|---|---|
| Coxswain | Coxswain | Coxswain | Coxswain | Coxswain | Coxswain |

PAPER delivered in by *John Ryan*, 12 May 1854.

No. 1402.

# TAPSCOTT'S AMERICAN EMIGRATION OFFICE,

*St. George's Buildings, Regent Road, Liverpool, and 7, Eden Quay, Dublin.*

## PASSENGERS' CONTRACT TICKET.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea.
2. The Victualling Scale for the Voyage must be printed in the Body of the Ticket.
3. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words, and not in Figures.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any alteration or erasure made in it.

*Ship* "Commerce," *of* 2,000 *tons register burthen, to sail from Liverpool, for* New York *on the* Thirteenth *day of* Nov. 1853.

| NAMES. | Age. | Equal to Statute Adults. |
|---|---|---|
| John Ryan | 50 | |

Paid in full, 9th Nov. 1853. H. M. Hobbs, per J. Rea.

*We engage that the Parties herein named shall be provided with a STEERAGE Passage to the Port of* New York *in North America, in the Ship* "Commerce," *with not less than* 10 *cubic feet, for luggage, for each statute adult, and shall be Victualled during the Voyage and the time of detention at any place before its termination, according to the subjoined Scale, for the sum of £.* 3. 2. 6. *including Government Dues before Embarkation and Head Money, if any, at the place of landing, and every other charge, except Freight for excess of Luggage beyond the quantity above specified, and we hereby acknowledge to have received the sum of £.* 0. 2. 6. *in* part *payment.*

In addition to any Provisions which the Passengers may themselves bring, the following Quantities, at least, of Water and Provisions, (issued daily), will be supplied by the Master of the Ship, as required by Law, viz., to each statute adult 3 quarts of Water daily; and a weekly allowance of Provisions according to the following scale:—
2½ lbs. of Bread or Biscuit, not inferior in quality to Navy Biscuit.—1 lb. of Wheaten Flour.—5 lbs. of Oatmeal.—2 lbs. of Rice.—½ lb. of Sugar.—2 ozs. of Tea, or 4 ozs. of Cocoa, or of roasted Coffee.—2 ozs. of Salt. } Per Week.
Bedding, and Utensils for eating and drinking, must be provided by the Passengers.

*Signature,* *H. M. Hobbs*, per *J. Rea.*

On behalf of WILLIAM TAPSCOTT & Co., of LIVERPOOL.

8 November 1853.

*Deposit £.* 0. 2. 6.

*Balance £.* 3. 0. 0. *to be paid at* Limerick *on or before the* 9th inst.

*Total £.* 3. 2. 6.

### NOTICES TO PASSENGERS.

1. If the Ship do not proceed to Sea on the Day specified above, Passengers, if ready to go on board, are entitled to Subsistence Money at the Rate of One Shilling a Day per Statute Adult (each person over Fourteen or Two Children between One and Fourteen Years of Age being reckoned as a Statute Adult) for each Day of Delay until the final departure of the Ship; but if the Passengers are lodged and maintained in any Establishment under the Superintendence of the Colonial Land and Emigration Commissioners, the Shilling a Day is payable to the Emigration Officer at the Port of Embarkation. In either Case the Money may be recovered by summary Process before Two Magistrates. If, however, the Ship be unavoidably Detained by Wind or Weather, and if the Passengers be maintained on board in the same manner as if the Voyage had commenced, no Subsistence Money is payable.
2. If Passengers fail to obtain a Passage in the Ship according to their Contract, either from her having sailed before the appointed Time, or from there being no Room in her, or through any Default of the Owner, Charterer, or Master, and are not provided with a Passage in some other equally eligible Ship, to sail within 10 days to the same Port, then they are entitled to a Return of their Passage Money, and to such Compensation, not exceeding £.10, as the Justices may award.
3. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

☞ Passengers should not rely only on the Provisions which the Master of the Ship is bound to issue to them, but should take an extra supply with them.

No. 1402.

*This Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer, at the Port of Embarkation (or if no such Officer to the Officer of Customs) or to any one appointed by him to receive it.*

## PASSENGERS' CONTRACT TICKET.

*Ship* "Commerce,"

*To sail from Liverpool for* New York

*on the* Thirteenth

*Day of* November 1853.

| NAMES. | E. Age. | S. Age. | I. Age. |
|---|---|---|---|
| John Ryan | | | 50 |

1 *Souls, equal to* 1 *Statute Adults.*

*Passage Money, including all charges £.* 3. 2. 6.

*Signature,* *H. M. Hobbs*, per *J. Rea.*

On behalf of WILLIAM TAPSCOTT & CO., LIVERPOOL.

*Dated the* 8th *day of* Nov. 1853.

# Appendix, No. 3.

## AMERICAN HOSPITALS.

ANNUAL REPORT of Admissions, Discharges and Deaths at the Marine Hospital, with Nativities and Diseases of Patients, for the Year 1852.

| DISEASES. | Discharged. | Died. |
|---|---|---|
| Asiatic Cholera | 44 | 131 |
| Diarrhœa | 259 | 149 |
| Dysentery | 156 | 150 |
| Febris | 1,086 | 63 |
| Feb. Intermittens | 124 | 2 |
| „ Remittens Chagres | 42 | 12 |
| „ Typhus | 2,527 | 513 |
| „ Yellow | - | 1 |
| Moribund | - | 64 |
| Phthisis | 16 | 76 |
| Pneumonia | 66 | 30 |
| Psora | 243 | 0 |
| Rubeola | 64 | 18 |
| Scarlatina | 20 | 8 |
| Syphilis | 40 | 4 |
| Typhoides | 40 | 49 |
| Variola | 591 | 87 |
| Other Diseases | 1,690 | 204 |
| Total | 7,008 | 1,561 |

| Months. | ADMISSIONS. Emigrants from Vessels. | Emigrants from City. | Other Sources. | Total. | Discharges and Deaths. Discharged. | Died. | Total. |
|---|---|---|---|---|---|---|---|
| January | 204 | 846 | 28 | 1,078 | 359 | 90 | 449 |
| February | 87 | 1,058 | 42 | 1,187 | 790 | 210 | 1,000 |
| March | 87 | 870 | 35 | 992 | 1,139 | 286 | 1,425 |
| April | 57 | 968 | 25 | 1,050 | 771 | 210 | 981 |
| May | 117 | 792 | 48 | 957 | 1,076 | 156 | 1,232 |
| June | 215 | 500 | 31 | 746 | 724 | 134 | 858 |
| July | 74 | 354 | 26 | 454 | 593 | 154 | 747 |
| August | 56 | 367 | 36 | 459 | 400 | 86 | 486 |
| September | 102 | 259 | 22 | 383 | 299 | 81 | 380 |
| October | 32 | 234 | 20 | 286 | 281 | 67 | 348 |
| November | 124 | 197 | 36 | 357 | 228 | 36 | 264 |
| December | 95 | 306 | 30 | 421 | 348 | 51 | 399 |
| Total | 1,240 | 6,751 | 379 | 8,370 | 7,008 | 1,561 | 8,569 |

Total number of Days spent in Hospital by Patients during the Year 1852 209,029

Mortality at the Marine Hospital during 1852 - - - - - 18½ per ct.

| NATIVITIES. | Discharged. | Died. |
|---|---|---|
| Ireland | 4,995 | 1,089 |
| Germany and Holland | 1,709 | 367 |
| England and Wales | 170 | 60 |
| United States | 54 | 29 |
| Scotland | 27 | 6 |
| France | 17 | 6 |
| Sweden | 7 | - |
| Nova Scotia and Canada | 5 | 2 |
| Denmark | 5 | 1 |
| Norway | 4 | 1 |
| Poland | 4 | - |
| Spain | 3 | - |
| Switzerland | 3 | - |
| Italy | 2 | - |
| West Indies | 2 | - |
| Portugal | 1 | - |
| Total | 7,008 | 1,561 |

### STATEMENT.

| | | |
|---|---|---|
| Number remaining in Hospital, December 31, 1851 | | 517 |
| „ Admitted during year 1852 | | 8,370 |
| „ Treated | | 8,887 |
| „ Discharged during same period | 7,008 | |
| „ Died „ „ | 1,561 | 8,569 |
| Total number remaining in Hospital December 31, 1852 | | 318 |

Remarks.—Of the 1,561 deaths enumerated in the above Report, 117 were infants under 12 months old, and 64 were cases of Moribund.

*M. P. O'Brien,*
Clerk of Marine Hospital.

## Appendix, No. 4.

PAPER delivered in by Mr. *William Watson*, 1 June 1854.

### Improvements in the Construction of Steam vessels.

Communication by *C. W. Williams*, of Liverpool, to the Mechanical Section of the British Association, 15 September 1837.



A desire to lessen or prevent those accidents to which ships are liable at sea has long engaged the labours and attention of humane and scientific men; and, when we consider the fragile nature of a ship as compared with the tremendous force of the sea, and that a single plank is all that is interposed between that element and those on board, we are tempted to express our astonishment, not that so few vessels are lost, but that so few escape.

The casualties to which ships, particularly steam-ships, are liable, arise, for the most part, first, from striking against or coming in forcible contact with rocks, or such solid bodies as would injure the framework of the vessel; and, secondly, from accidental collision with other vessels, by which some part of one or both vessels becomes so damaged as to admit the water to such an extent as to overcome the power of the crews to pump it out.

Ingenious men have endeavoured to devise expedients for lessening the risk consequent on such damage. Among these was the introduction of air-tight tubes to such an extent as, in case of the body of the vessel being filled with water, should give it so large a buoyant power as to keep the vessel afloat. A patent was obtained for this invention, and an ingenious tract published, demonstrating the protection which a given number of tubes, distributed throughout the vessel, would afford. It does not appear, however, that the practicability of stowing away a sufficient quantity of those tubes or air-vessels was ever tested in practice, or that a vessel of any magnitude was so fitted as to demonstrate its utility.

That any expedient shall be discovered which will prevent the irruption of the water to an extent beyond what may be within the power of men and pumps to expel, is a hopeless case. Even in the event of running on an anchor or other body which should break any part of the ship's bottom or side, or of a single plank starting, the extent of the injury would most likely be such as to render it impossible to keep the vessel afloat by human power. It occurred to me, that the only practicable expedient for preventing the sinking or actual submersion of the entire vessel would be, by confining the effect of the injury sustained to that portion or section of the vessel in which the injury occurred; and this is the basis of the plan I am now to submit.

Hitherto, nothing has been attempted which could prevent the water, in case of its breaking in, from collision or other causes, from passing at once throughout the entire body of the vessel; and here lies the great source of danger, particularly in steam-vessels, as the fires, being at the lowest part of the hull, are soonest affected by the water; and the chances of escape, by being expeditiously run on shore, are thus lost. Indeed, in steam-vessels, the mere circumstance of derangement to any of those pipes, or connexions between the interior and exterior, for the necessary introduction and expulsion of water from the engine and boiler, have often caused the most serious results. In one instance, the casual introduction of a piece of sea-weed under the valve of the bilge-water-pump of a steam-vessel caused it to fill nearly to sinking. But when it is considered that those casualties, which too often end in the sinking of a steamer, are local in their origin, and affect but a small portion of the vessel, and that the water admitted is often of so small an extent as to be almost within the power of the pumps, it will at once suggest the importance and the efficiency of the protection, by confining the water to that section of the vessel which has sustained the injury.

The plan of dividing the vessel's hull into sections, each of which should be completely water-tight, has, we are told, been practised by the Chinese in their trade-barges, the several water-tight compartments being under lock and key, and appropriated to separate shippers.

This mode of giving security first occurred to me on building the iron steamer the "Garryowen" (now plying on the Shannon, at Limerick), and the trade-barges which the Dublin Company's steamers tow on that river. Where the hull was of iron, as in the "Garryowen," the introduction of iron plate bulkheads was easy and effective; and, independently of the great strength afforded by this internal and sectional bridging, as it may be called, these sections were as susceptible of being made water-tight as the vessel itself.

Experience has proved, that it is impossible to make a timber partition or bulkhead water-tight, or, at least, that it should continue so. The heat of the vessel is sufficient to

Appendix, No. 4

cause such a shrinking in a partition of timber planking as to render it wholly useless in preventing water from passing. Iron-plate partitions, however, possess all the requisites for this effectual division of the vessel into so many water-tight compartments. Their introduction into timber-built ships appeared, then, an important desideratum. Many objections were, however, started. Men do not like to be put out of their way; and, indeed, a plan which should prevent ships foundering at sea was, at least, not likely to find much favour in the eyes of shipbuilders.

The only parts where water could pass from any one section, when filled, to another section not so filled, would be, not through the iron partitions, but at the sides and bottom of the vessel, where they came in connexion with the frame and planking of the vessel. The preventing the water from passing in this direction is effected by very simple means, viz., by making this part of the vessel solid; that is, without those rooms or spaces which intervene between the frames of the vessel. This solid framing should extend to 18 inches before and after each partition. The mode of effecting this is familiar to all shipbuilders. The introduction of hair felt between this solid framing and the planking on the outside, and the ceiling on the inside, completes the operation; the plate-iron forming the partition having proper diagonal stays to give it strength, and being connected at the sides and bottom with angle iron, accurately fitted to the shape of the vessel, particularly in passing over the kelsons.

The practicability of making these water-tight iron bulkheads being established, the next consideration was the number that would be required, and their most eligible position. A *primâ facie* view of the case would suggest the greatest possible number of divisions; certainly, the more numerous the partitions are, the more complete would be the protection afforded, and the more the risk of foundering diminished. The only considerations which restricts their number are, 1st, The inconvenience they create by preventing free access from one part of the vessel to the other under deck, the access to each being then necessarily from deck; 2dly, The weight of these iron bulkheads, and the additional timber required to make the vessel solid at the place of junction; 3d, The expense.

In considering the number and situation of these bulkheads, I will examine the advantages and disadvantages of each.

Let us consider the case of a vessel of the largest class, say 160 feet long, divided by a single bulkhead into two equal divisions. It will not be necessary to dwell on the inefficiency of such a division. Any leak or break must inevitably cause the filling of one half of the vessel. The result would be, that either the vessel would be in danger of going down end foremost, or would be in such a position that it could not resist a heavy sea. At all events, in that situation the engine would be useless, as the boiler could not be worked with the water driven to one end.

Let us next consider the effect of placing two such bulkheads, and thus dividing the vessel into three equal or unequal sections. In some respects this would be a favourable arrangement, as any two sections would effectually keep the vessel afloat. The inconvenience of such a division is, that, in case of a vessel being run foul of at the intersection of either partition, two-thirds of the vessel being possibly filled with water, the centre of gravity would be thrown so much to the one end as to render the vessel unsafe in case of a heavy sea.

Let us next consider the dividing the vessel into four sections by three bulkheads. This arrangement would answer all the ends of protection; but an insurmountable objection here presents itself. The machinery would then be divided, as one of the partitions, the centre one, would necessarily fall in somewhere between the engine and the boiler; and, considering the connecting tubes, and other circumstances which render a free union between the boiler and the engine departments absolutely essential, this arrangement is out of the question.

We come next to the division of the vessel into five sections, by means of four bulkheads. This arrangement I consider wholly unexceptionable. Besides, this division fell so well in with the business of the several parts of the vessel as to give it at once precedence. The centre section would then be occupied by the engine, boiler, and coal-bunkers; thus detaching them entirely from all other parts of the vessel. The sections, Nos. 2 and 4, would be the fore and after holds, or, in case of passengers' vessels, the fore and after cabins; and the two remaining sections, at the bow and stern, need not be as high as the main deck, as the water never could rise within several feet of the same.

Here, then, we provide an effectual remedy against the casualties attending on a vessel coming into collision with another. It may safely be said that, unless the water break into the vessel in all its sections at the same time (and which may be considered impossible), there can be no danger of submersion; and experience has proved, that a very small addition of buoyancy would prevent a vessel from sinking after it had been so immersed that the deck was on a level with the surface of the sea. Now, this improvement in the construction of steamers is not brought forward as an ingenious theory, or a matter of unascertained efficiency. I merely submit, for general information, what, in practice, is adopted by the Dublin Company at this moment, in all their lately constructed steam-vessels, to give security to the public, and protect their own property from casualty or loss.

The

Appendix, No. 4.

The model presented [*here a model was exhibited, furnished with partitions on the plan recommended*] is illustrative of what may be seen in several of their vessels now at work, the "Garryowen," the "City of Limerick," the "Athlone," and the "Royal William," and also in three other vessels recently built by the company, and now getting their engines on board, the "Royal Adelaide," the "Queen Victoria," and the "Duchess of Kent."

For the purpose of testing the efficiency of these bulkheads, and that I might be enabled to assure the members of the association of their having stood the necessary proof, and being practically as efficient as they were satisfactory in theory, I this week caused the plan to be experimentally tested in the new vessel, the "Royal Adelaide," for the inspection of the members of the association. I first caused the vessel to be bored, and the water to flow freely into section 1, at the bow end. When so filled that the water remained at the same level outside and inside the section, it depressed the vessel six inches at the bow, raising the stern about two inches. Having the water pumped out, I then had the next bow section filled (No. 2). This depressed the bow 12 inches, without perceptibly raising the stern end. The vessel was then in the situation of one in which collision had taken place. For accuracy sake, I here state, that the bow and stern sections are each 16 feet long; the two next, 35 feet long each; and the centre, or engine section, 58 feet, making in the whole 160 feet.

The fact of buoyancy, then, not admitting of a doubt, the whole question of efficiency turns on the practicability of making those bulkheads water-tight. This, then, has been tested in so satisfactory a manner that I do not hesitate to affirm, that, had the "Apollo," the vessel lately run into and sunk by the "Monarch," on the Thames, or the Bristol packet, the "Albion," lately run on the rocks in Jack's Sound, near Milford, been appointed with those water-tight iron partitions, no risk of life would have occurred, and the vessel would have remained afloat.

With respect to the additional weight and expense of these iron bulkheads, I would observe, that, compared with their importance and the security they afford, they are comparatively insignificant. The bulkheads on board the "Royal William" and the "Athlone" cost 290 *l.* each vessel; and the additional timber required in the solid framing must be trifling.

Considering, then, how deeply the public are interested in the progress and improvement of steam navigation, and the rapid strides it is making in all parts of the world, and the multiplication of the risks of collision consequent on that increase, it cannot be doubted, that it is a legitimate object for the interference of Parliament. Can any rational or humane mind contemplate the consequences of a collision between two vessels, and the loss of life that may ensue, and not admit, that they who build a vessel hereafter, and neglect such precautions, undertake a responsibility of the most awful nature? Had I the power, I would enforce this protection by law. All vessels, especially such as shall hereafter be built expressly for the conveyance of passengers, should have a license, granted on inspection, and before registration, certifying the insertion of those or other equivalent preventives against sinking.

Having considered the protection afforded by these water-tight bulkheads, in case of collision, I will now observe on the other, and, perhaps, not less important, advantage they afford, namely, as a protection against fire. In this case, the circumstance of any part of the vessel taking fire is followed by the same evil as in that of the irruption of water on collision, namely, its irresistible transmission at once through all parts of the vessel. An instance of this calamity occurred recently to the steamer the "Medway," on the river Thames, where the only resource that remained to the numerous passengers was the confining themselves to that part of the deck most distant from the fire, (and, fortunately, in that instance most favourable as to wind,) until the vessel was run ashore. Now, the circumstance of these bulkheads being air-tight, as they necessarily are, is a matter of the greatest importance in preventing the spread of flames, as they effectually prevent the introduction of any draft or current of air, so much to be dreaded in such cases where the materials are so combustible. Again, in extinguishing the fire in the section in which it originated, the crew would be enabled to work in comparative security. The fire, being prevented spreading laterally, can only make progress upwards towards the deck, and which will be considerably retarded, if not altogether checked, by the absence of all current of air from either end of the vessel. Indeed, it is questionable whether the mere closing down the hatches over the section would not at once extinguish it.

I need only add, that vessels so appointed may, with great propriety, be called safety vessels. The plan is not restricted by any patent, and all are free to adopt it; and I expect hereafter to see this principle so adopted and improved that the security of steam-vessels will keep pace with that greater utility and extension to which they seem destined.

## Appendix, No. 5.

PAPER delivered in by *H. Watson*, Esq., Mayor of *Limerick*.

Appendix, No. 5.

NUMBER of PASSENGER SHIPS cleared from the Port of *Limerick* for the *States* and *Canada*.

| YEARS. | NUMBER. | SOULS. | NUMBER. |
|---|---|---|---|
| 1852 - | 53 Ships - - | 8,035 Emigrants - - | 8 Doctors. |
| 1853 - | 45 ditto - - | 7,539 ditto - - - | 6 ditto. |
| 1854 - | 15 ditto - - | 1,958 ditto - - - | 3 ditto. |
| | 113 Ships - - | 17,532 Emigrants. | 17 Doctors. |

Limerick, 4 May 1854.

*W. Ellis*,
Govt. Emigration Office.

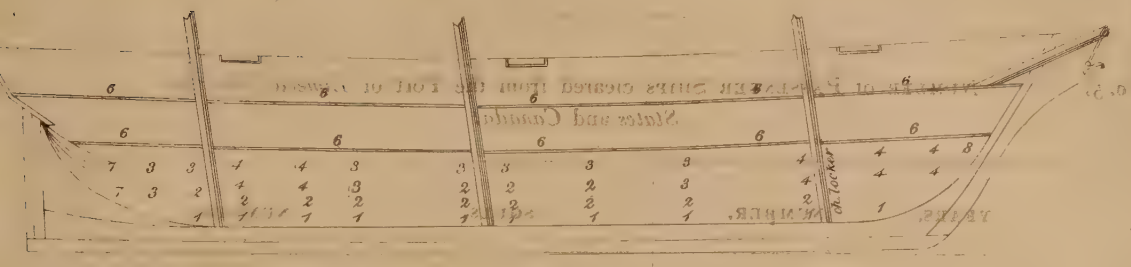
N° 1

[Delivered in by Capt. Schomberg, R.N.]

# PLANS OF SHIPS' STOWAGE.

## SHIP "ORIENT",—Captain Hill,

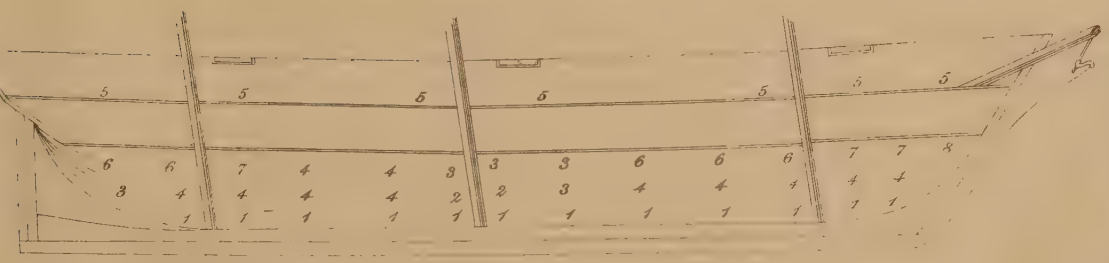
*1,746 TONS, for NEW YORK.*



| | | |
|---|---|---|
| N°1 Coals. | 150 Tons Coals. | Draft of Water. |
| " 2 Dead Weight. | 831 Do. Dead Weight. | Aft, 19ft 3in |
| " 3 Meast Goods. | 275 Do. Meast Goods. | For.d 19ft 6in |
| " 4 Water Casks. | | Chain locker before Foremast. |
| " 5 Tanks. | | Pumps before Mainmast. |
| " 6 Passengers. | | |
| " 7 Stores. | | |
| " 8 Coal room. | | |

## SHIP "GOLDEN ERA",—Captain Peat.

*1,556 TONS, for AUSTRALIA.*



| | | |
|---|---|---|
| N°1 Ballast. | 200 Tons ballast. | Draft of Water. |
| " 2 Dead Weight. | 60 Do. Dead Weight. | Aft, 18ft 0in |
| " 3 Meast Goods. | 370 Do. Meast Goods. | For.d 16ft 9in |
| " 4 Water Casks. | | Chain locker before Foremast. |
| " 5 Passengers. | | Pumps abaft Mainmast. |
| " 6 Stores. | | |
| " 7 Luggage. | | |
| " 8 Coals. | | |

Two decks, Poop, and house before Main Hatch.

[Delivered in by Capt.n Sch

# PLAN OF THE DECKS OF THE AUSTRALIAN PACKET SHIP "GOLD FINDER,"

1380 Tons Register,

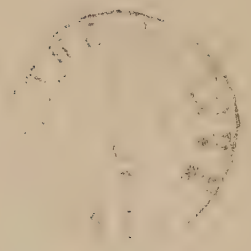
*Belonging to Mess.rs Jones, Palmer, & C.o, Liverpool*




Fore, Main and after hatchways are fitted with ladders leading to the Second-passenger deck only. — The two midship companions and the booby-hatch aft are for the First passenger deck only — thus going to each deck three distinct gangways. — The lower deck is further ventilated and lighted by a trunk carried through from the upper deck, fore and aft the Ship, which, with the tops and sides of the three hatch-houses are glazed. — There are also two Ventilators forward, independent of the Hospital Ventilator. — The back of the Passengers' berths on this, the lower deck, get a borrowed light 12in. x 12in. inserted in the deck above, placed immediately opposite the side ports, which are 18in. x 18in. and glazed. — Male & female Hospitals are fitted right aft on the lower deck, with a separate Skylight & Ventilator. On the First-passenger deck the berths are fitted amidships, leaving the ships' sides and the ports all clear to be got at. — The back of the berths on this deck get additional light from glass inserted in the great ventilator. — There are Stateroom Ventilators — thus affording to each of these three divisions distinct & separate light and ventilation. — The lower deck is fitted fore and aft with hatches amidships, thus affording the facility of getting at water & provisions without breaking in the other deck they are in two divisions, in consequence of the fore and aft Ventilators

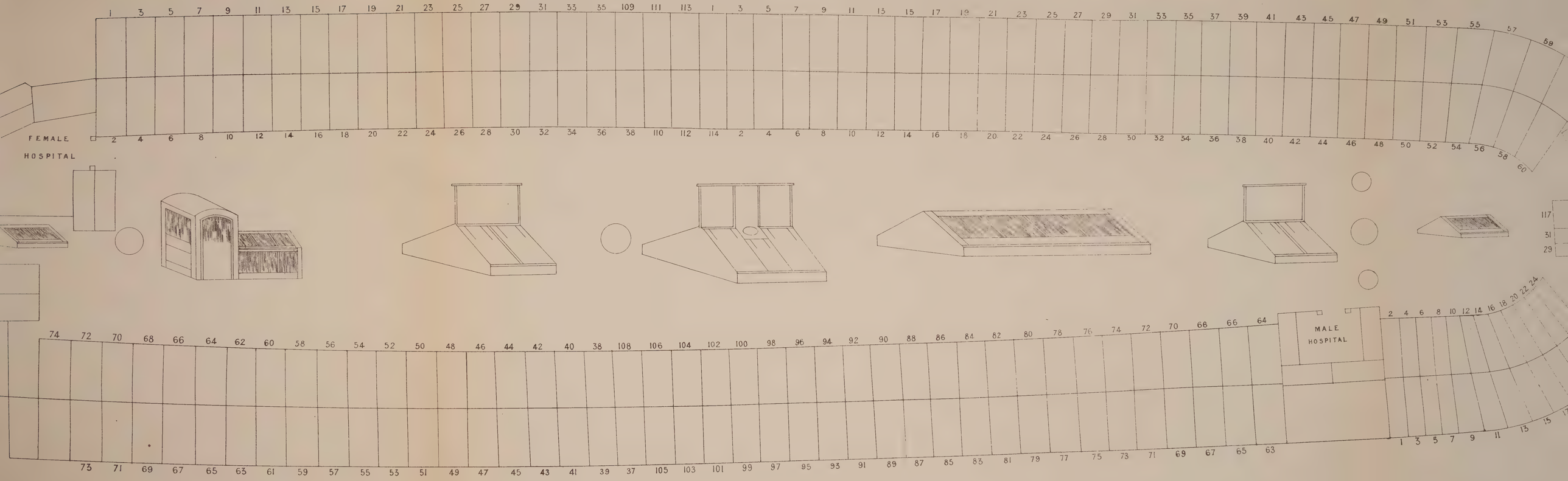
out and annoying the passengers by hoisting things on deck. — The Captain, Officers, Chaplain and Surgeons, are all accommodated on the main deck, divided from the passengers by a permanent bulkhead. — The Ship is fitted with the Boston Steering Apparatus; carries seven boats, three of which are Life Boats. One pair of quarter davits are fitted with Jeffrey's method of lowering and letting Life-Boats. — Has a small house on deck, aft, built principally for Purser's store room and bath-room with accommodation for the Petty Officers on the Port side. — Has a powerful Cylinder Air-pump for the purpose of exhausting any foul air that may accumulate in the aft part of the lower deck near the Hospitals. — Has a Fire Engine, which is also applicable for filling with fresh water the Iron Deck Tank containing 70 tons consumption. — Is fitted with Woods Patent Rotatory Power to work two Main and one of the Bilge Pumps at the same time. — Has two double Windlasses in separate houses. — Has one of Trotman's Patent Anchors, 33 cwt. to 40 cwt., and will also, before going to sea, be fitted on deck with Mizer Closets, Washing-Troughs, &c. &c. as used in Government Chartered Ships.

No. 349. Ordered by The House of Commons to be Printed 5th July.



[Delivered in by Capt.n Sc

# BERTHS OF THE BOOMERANG.






N°. 349. Ordered, by The House of Commons, to be Printed,

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*Cargoes.* Increased power of the Emigration Board under the Act of 1852 with regard to cargoes, *Murdoch* 191 *et seq.*——There has not been sufficient evidence of loss of life on board emigrant vessels to justify any stronger legislative measures on this head, *ib.* 3868, 3869. 3873, 3874——Advantages of an Order in Council over an Act of Parliament with respect to the limit of cargo, *ib.* 3874, 3875——The powers under the 55th section are insufficient on this point, *ib.* 3876, 3877.

*See* also *Dead-weight.* *Iron Cargoes.* *Stowage.*

*Cattle.* Objections to cattle being sent out in passenger vessels; danger thereof; *Redmond* 1461-1474; *Murdoch* 3747, 3748.

Reports, 1854—*continued.*

*Channel Passage:*

1. *Operation of the Act as regards Government Emigrants only.*
2. *Exposure to the Weather, and consequent Sufferings of Private Emigrants; utter want of Accommodation.*
3. *Dublin and Liverpool Steam Packet Company represented and defended.*
4. *Rates and Length of Passage from Dublin and Cork to Liverpool, &c.*
5. *Other Particulars, with Suggestions.*

1. *Operation of the Act as regards Government Emigrants only:*

The present Act does not apply to emigrant passengers from Ireland to Liverpool, *Murdoch* 420–428; *Schomberg* 3347——The Commissioners have a special contract that their emigrants shall be under cover on their passage from Ireland, *Murdoch* 660——Limited number of these emigrants, *ib.* 661——The Government contract for the cross-Channel passage is 5 *s.*, *Schomberg* 3342. 3348. 3352——Accommodation for Government emigrants on the passage, *Duross* 4324-4329.

2. *Exposure to the Weather, and consequent Sufferings of Private Emigrants; utter Want of Accommodation:*

Injurious effects of the defective accommodation for deck passengers on the cross-Channel steamers, *Hutchison* 1225–1229; *Murdoch* 3749–3753; *Besnard* 4848, 4849. *Rep. p.* vi, vii——Sufferings experienced by deck passengers in the cross-Channel passage from Dublin and from Cork in their being exposed to the weather; absence of proper accommodation, *Redmond* 1515–1543. 1551–1577; *Ryan* 3886 *et seq.*——*Duross* 4319 *et seq.* 4387–4394; *Besnard* 4692–4706. 4848, 4849; *De Courcy* 5893, 5894. 5897. *Rep. p.* vi, vii——There would not be sufficient room in the cabin for the number of passengers allowed by law, supposing the captain was willing to accommodate them in rough weather, *Redmond* 1562, 1563——Some steamers are provided with a covering over the deck, and with seats along the side, *ib.* 1566–1573——The exposure of the emigrants on board the packets from Scotland and Ireland tends greatly to increase the mortality subsequently, *Redmond* 1577; *Schomberg* 3341–3343——Reference to witness's return from Liverpool to Dublin (on the putting back of the "E. Z."); there was no shelter on deck, *Ryan* 4027–4036.

The manner in which the deck passengers are conveyed from Cork to Liverpool is disgraceful, dangerous, and inhuman, *Besnard* 4700——Number of deck passengers on board the Cork steamers and cargoes carried by them, *ib.* 4708–4714——The pigs are cared for much better than the emigrants, *ib.* 4714——Other evidence as to the inhumanity of the present system of treating deck passengers on the cross-Channel steamers, *ib.* 4890–4905. 4925–4936. 4957. 4972——Crowded state of the steamers from Cork to Liverpool, *ib.* 4972——Partial accommodation afforded to deck passengers between Ireland and Bristol, *Edwards* 5380–5383——Accommodation afforded respectively to live stock and to passengers in the Cork vessels, *De Courcy* 5898–5908——The cattle are apparently the better cared for of the two, *ib.* 5902——Accommodation provided generally for cattle and other live stock, but not for the emigrants, *Rep. p.* vii.

3. *Dublin and Liverpool Steam Packet Company represented and defended:*

Number of deck passengers carried by the Dublin and Liverpool Steam Packet Company from Dublin and Liverpool in 1853, *W. Watson* 5673——About 40 per cent. of these were emigrants, *ib.* 5674——Particulars as to the space and shelter provided respectively for the cattle and other live stock, and for the passengers, *ib.* 5681–5693. 5704–5714. 5723. 5725–5727——Origin of the deck-houses or stables on the company's vessels, *ib.* 5693.

Solitary instance of a death occurring from exposure in one of the company's vessels, *W. Watson* 5700——Occasional occurrence of accidents to the vessels, *ib.* 5718–5720——Supply of spirits to the deck passengers adverted to, *ib.* 5720–5723——Strict compliance by the company with the regulations of the Board of Trade limiting the number of passengers; exceptional instances explained, *ib.* 5725–5728. 5745–5748——Space afforded to deck passengers when there are only cabin passengers beside, and no cattle, *ib.* 5732–5736——Requisite number of boats attached to the vessels of the company, *ib.* 5742——The hatches have never been closed over the deck passengers, *ib.* 5748–5751.

4. *Rates and Length of Passage from Dublin and Cork to Liverpool, &c.:*

The passage-money for deck passengers from Dublin to Liverpool varies from 1 *s.* to 2 *s.* 6 *d.*, *Redmond* 1544, 1545. 1554, 1555——It is paid by the agent, *ib.* 1551. 1556, 1557——The first-cabin fare varies from 7 *s.* 6 *d.* to 12 *s.* 6 *d.*, *ib.* 1558, 1559——Time occupied by witness in the passage from Dublin to Liverpool, *Ryan* 4021–4023——Length of passages from Cork to London and to Liverpool, *Duross* 4330, 4331; *De Courcy* 5895, 5896——The fares from Cork to Liverpool paid by the emigration brokers are 10 *s.* for each adult, and 5 *s.* for each child, *Duross* 4344——Rate of passage from Cork to Liverpool adverted to and complained of, *Besnard* 4970–4972——The average length of the passage is from twenty-four to thirty hours, *ib.* 4973.

5. *Other*

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5. *Other Particulars, with Suggestions:*

Steamers from Dublin to Liverpool invariably carry cattle, *Redmond* 1535, 1536——The sufferings of the passengers would be greatly alleviated by proper precautions on deck, *ib.* 1564, 1565——The effect of a regulation that passengers should be under cover, would be to increase the fare considerably, *Murdoch* 3752——How far the passage is a voluntary act on the part of the emigrants, *Besnard* 4896–4902——Most of them have no idea of the hardships of the passage, *ib.* 4903——Deck passages should be prohibited from Scotland and Ireland, except in fine weather, *ib.* 4915–4918. 4926——Expediency of bringing the cross-Channel passages within the operation of the Passengers Act, *ib.* 4974–4980——Live stock should be excluded from the passenger vessels, *De Courcy* 5977, 5978——It is very desirable that passengers on board these packets should be under cover, *Schomberg* 3344–3346. 3350; *Richards* 5196–5198——It should be made imperative to afford adequate accommodation under cover for the emigrants, *Rep. p.* vii.

The steamers from Cork to Liverpool are generally deeply laden with merchandise and passengers' baggage, *Duross* 4345. 4355. 4390–4394——Two steamers leave Cork every week on Wednesdays and Saturdays, *ib.* 4354. 4382, 4383——The emigration officer at Cork does not visit the steamers, *ib.* 4362——Belief that the Government Officers at Liverpool see that the number of passengers is not excessive, *ib.* 4361. 4381——Witness knows no instance of a death occurring during the passage, *ib.* 4364–4367——Average number of passengers carried by the Cork steamers, *ib.* 4384–4387——Tonnage of the steamers, *ib.* 4388, 4389. 4398——The deck passengers are principally emigrants going to America, *ib.* 4395–4397.

Witness would compel the Cork steamers to afford better accommodation to deck passengers, *Besnard* 4707.

*See* also *"Princess," the Steamer.* *"Times," the Steamer.*

*Charterers.* See *Emigrant Shippers.* *Liability of Charterers.*

*"Chatham," The.* Slight mortality during a voyage of this vessel from Liverpool to Quebec, *O'Doherty* 718–721——Short allowance of provisions adverted to in connexion with the length of the passage, *ib.* 755. 761. 765–773. 778–789. 792——Circumstance of the water casks having been rotten; several of them broke, *ib.* 773. 798. 801——In the case of this vessel complaints were made and the captain was prosecuted; this was before the passing of the Act, *ib.* 811–814.

*Children.* See *Diet.* *Mortality*, 3. *Space*, 2. *Water*, 1.

*Chisholm, Mrs. Caroline.* (Analysis of her Evidence.)—Has for many years taken great interest in emigration, 2974——Great improvements effected by the present Passengers Act, 2976——Insufficiency of the space allotted to passengers in Australian ships, 2977–2981——Space recommended for each passenger, 2978. 2981. 3018, 3019——Each person has a separate berth in the ships from London, 2979, 2980——Suggested arrangements with respect to berths and cabins, 2981——The single men are berthed separately in the fore part of the vessel, 2982, 2983——Comparative extent of the emigration to Australia from London and from Liverpool, 2984, 2985——Superiority of the London over the Liverpool vessels, 2986. 3009–3012——Disapproval of vessels carrying more than 280 or 300 passengers, 2987–2989. 3014–3017. 3138.

The mortality among children is chiefly owing to the provisions not being suitable, and to the insufficiency of the space allowed, 2990–2992——Every infant should have half the space of an adult, 2991. 3001–3003——Approval of the dietary for infants now used by the Emigration Commissioners, 2993. 2997, 2998——Statements and suggestions as to the dietary, 2993–3000. 3004——Witness would extend her opinions with regard to the size of berths and dietary to all private emigrant vessels, 3021——Insufficiency of the Parliamentary dietary; policy of improving it, 3022–3027——Suggestion that cabin passengers should be brought within the Act, and that it should be extended to every vessel, though carrying but one passenger, 3028–3044. 3101, 3102——It should be extended even to mail steam packets, 3045–3048.

Sufficiency of the medical stores in Australian ships, 3049——Suggestion that a detailed report be made by the Government emigration agent or other officer on the departure and arrival of every vessel, 3050–3055. 3110–3113——Suggestion with regard to the hospital arrangements; it is very desirable that the hospital should be situated on deck in the poop cabin, 3056–3059——Introduction by witness of enclosed berths for emigrants to Australia, 3061——Improvements adopted by the Commissioners with regard to berths, 3062——Care paid to the subject in London ships, 3063——Recommended system of licensing passenger vessels and bonded securities as affording great protection to emigrants, 3064–3074. 3101–3103——Want of simple legislation on the subject of emigration, 3065, 3066. 3072——Arrangements proposed for a first and second class license, 3066. 3103.

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*Chisholm, Mrs. Caroline.* (Analysis of her Evidence)—*continued.*

Anticipated advantage of making the owner responsible for the treatment of passengers by the master and surgeon, 3068–3071. 3076——Insufficiency of the present bond from the master of a vessel for the protection of the passengers, 3075——The present Act requires improvement mainly in matters of detail, 3077——There is no necessity for legislation respecting intercolonial voyages in Australia, 3078–3080——Suggestion that the registered character of every ship, and the number of passengers she is licensed to carry, be painted on some conspicuous part of the vessel, 3081–3084. 3097–3099. 3101. 3105——Reference to the Admiralty wreck chart for 1853, as showing that the vessels lost are almost all of an inferior character, 3084–3090. 3109——The small number of emigration vessels lost is not surprising, considering they are all brought under Government inspection, 3091–3096.

Large number of vessels carrying passengers which are not within the Act, 3102, 3103 Every ship carrying passengers should be surveyed by a Government officer, 3105, 3106 ——How far the safety of the passengers is affected by the facility of insuring to the full value, 3107–3109——Sufficient use of disinfecting fluids in Australian ships, 3114 ——Impossibility of emigrants being cleanly with the present defective arrangements, 3114——Necessity of the decks being kept clean, 3115——It is very desirable that the provisions should be cooked and placed on table by parties employed by the owners, 3115–3117——The ventilation of vessels is being greatly improved, 3119, 3120—— There is no difficulty in getting persons to act as stewardesses and nurses, 3121—— Manner in which the emigrants are disposed of on their arrival in Australia, 3122—— The allowance of water is sufficient if the full quantity is given, and the casks are good, 3123–3125.

The present is a very favourable time for carrying out suggested improvements, 3126——Suggestions for the better preparation and cooking of the provisions, 3127–3133——A superintending agent or inspector should be appointed to go from port to port in this country, 3133——Inadequacy of the salaries of the emigration agents, 3132–3136——Difficulty of any practical means of diminishing the evils arising from the want of proper moral discipline on board, 3137, 3138——Manner in which religious worship is performed on board emigrant vessels; no further regulation is required on this subject, 3139–3143.

*Cholera.* Witness attributes the deaths which took place in a certain number of ships to America, chiefly to cholera, *Murdoch* 113, 114. 118——Particulars as to the deaths from cholera in foreign vessels to the United States, *ib.* 159–163——Heavy per-centage of mortality from cholera on board vessels to America during last autumn, *Philipps* 1709–1711——The epidemic broke out entirely among the Germans, *ib.* 1712——No vessel would be cleared with cholera on board, *Murdoch* 3714–3718.

See also *Bills of Health. Epidemics. Limerick. Re-landing of Passengers.*

*Chronometers.* An officer refusing to give his certificate because a vessel has no chronometers, does so at the risk of being prosecuted, *Murdoch* 381–389——Belief that all passenger vessels are supplied with chronometers, *ib.* 672——It is always judicious to carry two or three chronometers, *Lean* 2063–2065.

"*Circassian,*" *The.* Proceedings instituted at Quebec against the owner of this ship, *Murdoch* 596, 597.

*Class of Vessels:*

1. *Generally.*
2. *Number of Decks.*

1. *Generally:*

Particulars as to the tonnage, &c., of vessels employed by the Emigration Commissioners, *Murdoch* 506–511. 517, 518——All vessels not seven feet between decks should be excluded from the passenger trade, *Hutchison* 985–994; *Besnard* 4686–4688—— Good class of vessels used by the Emigration Commissioners, *Hutchison* 1114. 1129; *Rep. p.* ix—— Inferiority of the ordinary emigrant ships to the ordinary convict ships as regards fittings, &c., *Hutchison* 919 *et seq.* 936–938. 1167–1171. 1269–1274; *H. Watson* 3688–3693——Inferior class of vessels used for the sake of cheapness, *Hutchison* 1111–1121. 1269. 1272–1274——Emigrants should be provided with ships of the best class, *ib.* 1172——High character of witness's ships adverted to; particulars as to their construction and arrangements, &c., *Philipps* 1741, 1742. 1769–1778. 1782, 1783. 1800, 1801.

Passenger ships are seldom below the red diphthong, *Lean* 1883——The emigration surveyors are not confined to any class at Lloyd's, *ib.* 1883, 1884——Class of vessels best suited for carrying emigrants, *Beechey* 2517–2522; *Edwards* 5318. 5355, 5356. 5393——Suggestion that the registered character of every ship, and the number of passengers she is licensed to carry, be painted on some conspicuous part of the vessel, *Chisholm* 3081–3084. 3097–3099. 3101–3105——Approval of this suggestion, *Sidney* 4153–4155——Healthy character of the smaller passenger vessels from Ireland, *Murdoch* 3731——Seaworthy class of vessels generally taken up for private emigration, *De Courcy,* 5922–5926.

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*Class of Vessels*—continued.

1. *Generally*—continued.

Different classes of ships; object of their being classed, *Hutchison* 1138–1141——The majority of English ships are classed at Lloyd's, *Lean* 1885——Ships which have been continually kept in repair are very good after thirty or forty years' service, *ib.* 1886, 1887——There is no regular average durability of different classes of vessels, *Kerr* 5610, 5611——Greater precautions taken by Government than by private parties in regard to the class of vessels employed, *Rep. p.* ix.

2. *Number of Decks:*

Two-decked ships do not carry less than from 600 to 800 passengers, *Murdoch* 170——Objection to double-decked ships; the lower deck is generally the healthier, *Murdoch* 171, 172; *Sidney* 4230——Healthiness of single-decked ships, *Murdoch* 171——There should be a passenger deck and an upper deck, *Beechey* 2520. 2539–2543——Emigrant vessels are generally single-decked, *Douglas* 2882–2884——All emigrant ships should have but one deck for the passengers, *De Courcy* 5779–5781——Grounds adduced in favour of not employing very large vessels, or vessels with more than one passenger deck, *Rep. p.* viii.

*See* also *Colonial-built Ships. Licenses. Passengers Act. Plans of Vessels. Rejection of Vessels. Surveys. Timber Vessels. Trial Trips. United States*, 1. *Wrecks.*

*Cleanliness.* Care taken that vessels are properly cleansed before emigrants are put on board, *Murdoch* 296–299——Necessity of the decks being kept clean, *ib.* 3115.

*Clearances.* The emigration officer at Liverpool would not clear the ship if the crew were inebriated, or not in a fit state to go to sea, *Murdoch* 458, 459. 464——He has no control over a vessel after she has cleared, and cannot prevent her anchoring in the river before she starts; how far abuse may arise from this circumstance, *ib.* 459–481——Under the present Act the emigration agent can object to anything affecting the seaworthiness of a vessel, and can thereon withhold the clearance, *Beechey* 2438–2442. 2452. 2460–2463——Expediency of rendering more definite the power of the agent to withhold the clearance until satisfied that the vessel is seaworthy, and efficient in all respects, *ib.* 2442. 2464, 2465——The Custom House is the last clearance after being reported by the emigration officer, *H. Watson* 3610. 3612——Circumstances under which the emigration officer should have power to refuse his clearance, *Sidney* 4156–4166. 4183–4186.

*See* also *Epidemics. Stowaways.*

"*Clyde*," *The.* Circumstance of witness having fitted up the "Clyde" for America, in 1842; *Besnard* 4665. 4667–4671——Arrangement as to berths on board this vessel, *ib.* 4672–4674. 4689–4691. 4727–4730——Satisfactory description of the water-closet arrangements, *ib.* 4715–4720——Tonnage and height between decks, *ib.* 4724, 4725——There was a surgeon on board, *ib.* 4726, 4727——The passage-money to New Brunswick in the "Clyde," was 4*l.* 10*s.*, including provisions, *ib.* 4731–4734.

*Collis, Captain James.* See "*Times*," *The Steamer.*

*Colonial-built Ships.* A colonial-built ship is not seaworthy after fifteen years' service, on account of the timber of which built, *Hutchison* 1281–1289——Comparative durability of English and colonial-built vessels, *ib.* 1290, 1291——North American-built vessels are generally defective in five or six years; beyond ten they are not often good, *Lean* 1888–1890——Many North American-built ships are taken up in London for emigrants, *Lean* 1891; *Walker* 2731.

*Colonial, Land, and Emigration Board.* Witness has been Chairman of the Board since 1847, *Murdoch*, 1——Government emigration is not confined to any particular season of the year, *ib.* 609——Ports whence vessels are despatched, *ib.* 610——Difference between Government and private emigration, *ib.* 614–617——The precautionary arrangements in the Government emigration vessels are very advantageous, *Schomberg* 3331, 3332.

*See* also *Australia. Berths. Bristol. Channel Passage*, 1. *Class of Vessels.* "*Conway*," *The. Crews. Diet. Mortality. Passage Money. Passengers Act. Reports. Surgeons. Wrecks.*

"*Columbia*," *The.* Particulars as to the general accommodation and number of passengers on board this vessel from America to England, *Finch* 2256–2276. 2367, 2368.

"*Commerce*," *The.* Witness paid 3*l.* 14*s.* for his passage from Limerick to New York on board the "Commerce," but subsequently was transferred to the "E. Z." *Ryan* 3896–3902. 4040, 4041.——*See* also "*E. Z.*," *The.*

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*Compasses.* A scientific person should be appointed at all the emigration ports to examine and adjust the compasses, *Murdoch* 363-366. 377-380; *Schomberg* 3434-3440. 3448-3451. 3466, 3467; *Hyde* 5435-5448——There would be no difficulty in enacting that all vessels should be swung before going to sea, *Murdoch* 371-375. 377,379. 386, 387——How far an appointment of this description would interfere with the individual responsibility of shipowners, *Schomberg* 3441-3443. 3468——Manner of testing the compass adverted to, *Lean* 2059-2062——It is especially desirable that the compasses should be tested where the cargo is iron, *Beechey* 2532——Vessels should be perfectly equipped for sea before their compasses are adjusted, *Walker* 2776-2778.

Extreme care requisite for the proper adjustment of the compass, *Schomberg* 3444-3447——At present the captain's word is taken on this point, *ib.* 3449, 3450——Expediency of ships being swung where there are no iron ships, or iron posts in the neighbourhood, *Schomberg* 3452, 3453. 3460-3462; *Hyde* 5452-5454——Uncertainty of the compasses of iron vessels, and of vessels having cargoes of iron, *Schomberg* 3464——Difficulty in arranging that vessels should be swung in the river at Liverpool, *ib.* 3459-3461.

Suggestion that in order to prevent local attraction certain precautions, be taken in the construction of ships not to bring iron in proximity to the compasses, *Hyde* 5421-5424. 5428——Manner in which ships are swung in Bristol harbour; there is plenty of room for the process, *ib.* 5425-5427. 5438——Price of the ordinary binnacle compass, *ib.* 5441——Improper manner in which compasses are often repaired, *ib.* 5443——Every ship going to sea should be swung, *ib.*——Effect of cargoes of iron upon the compass, *ib.* 5445-5448——Character of the compasses in American ships, *ib.* 5456-5458.

Certain effect of iron cargoes in disturbing the compasses, though to what extent it is difficult to say, *Rep. p.* x——It should be rendered compulsory to observe to the strictest point the measures which are in use for a proximate correction of this disturbance, *ib.*

*See* also *Azimuth Compass.* *Skomer Island.*

*Compensation.* Suggestion that power be given to emigrants to recover by summary process before magistrates, everything contracted for in their contract ticket, *Murdoch* 565. 569; *Sidney* 4136 *et seq.*; *Duross* 4597-4601. 4604-4615——Impossibility of enforcing compensation from the owner in the event of passengers voluntarily withdrawing themselves from the ship, *Murdoch* 3883.——*See* also *Liability of Charterers.*

*Complaints.* Mode of proceeding adopted in order to induce emigrants not to make complaints, *Finch* 2302, 2303. 2308-2311——Cause of the unwillingness of emigrants to make complaints, *Douglas* 2941-2945. 2954-2959.

*Consuls.* Difficulties in investing consuls with judicial power on breach of the Passengers Act, *Murdoch* 28-32——How far the British Consuls are enabled to obtain redress for British emigrants, *Douglas* 2950-2953.

*Contract Tickets.* Explanation of the contract ticket between the emigrant and the middleman, *Murdoch* 3823-3827——Suggestion in the event of the contract ticket being purchased with stolen money, *Duross* 4624-4638——Copy of passenger's contract ticket to New York, as delivered in by John Ryan, *App. p.* 167.——*See* also *Compensation.*

*Convict Vessels.* Convict vessels are exempted from the provisions of the Passengers Act, *Murdoch* 323——Evidence as to the convict vessels which sailed from Dublin in 1852 and 1853, *Hutchison* 1173-1189.

" *Conway," The.* Particulars in detail relating to the ship "Conway," bound for Australia from Liverpool, in January 1854, which put back to the Clyde with Asiatic Cholera on board, *Murdoch* 624-642——She was sent out by the Emigration Commissioners, with 445 souls on board, *ib.* 624——Numerous reports were made by Captain Kiel on the subject of medical arrangements, *ib.* 627, 628——Complaints were made of the neglect of the first appointed medical officer, and of the want of activity of another substituted for him, which led to the appointment of a third, *ib.* 628-630. 635, 636——There was no complaint of the defectiveness of the medicines which were supplied from Apothecaries' Hall, *ib.* 631, 632——The emigrants consisted of the labouring classes; a small number Scotch, the remainder principally Irish, *ib.* 633, 634——Length of time that the emigrants had been at the Birkenhead depôt, *ib.* 640——The master who sailed in the ship from Liverpool was removed in consequence of a complaint, and another substituted, *ib.* 641, 642.

*Cooking.* See *Diet*, 4.

*Cork.* Opposition of the inhabitants of Cork to the landing there of emigrants suffering with the small-pox and cholera, *Murdoch* 502, 503——Duties of witness, as constabulary constable at Cork, in connexion with emigration, *Duross* 4316-4318——Number of emigrant passengers from Cork, *ib.* 4333-4340. 4357-4360. 4374——Emigration is not decreasing

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decreasing from Cork; the emigrants are of a more respectable character, *Duross* 4567-4569. 4574——The average yearly number of emigrants from Cork is about 25,000, *ib.* 4576——Insufficiency of the constable's authority, *ib.* 4597.

The separation of the unmarried men from the rest of the passengers has been carried out on board emigrant vessels from Cork, *Besnard* 4675-4677——Necessity of an inquiry being instituted with respect to certain vessels which have lately put back to Cork, *ib.* 4736-4738——Circumstance of witness having sent thirty-four vessels from Cork to Australia in 1841 and 1844; arrangements with regard to the payment of the passage-money, which was at the rate of 19 *l.* 14 *s.* per adult, *ib.* 4807, 4808——Advantages of emigrants going direct from Cork in vessels touching there from Liverpool, *ib.* 4919. 4922-4924. 4938-4941——The emigrant vessels from Cork to America are altogether engaged in the passenger trade, and return laden with timber, *ib.* 4920, 4921.

Inability of Cork to supply the requisite number of vessels for all the emigrants from that port, *De Courcy* 5954. 5964, 5965——Inconvenience at times to vessels in putting into Cork Harbour, *ib.* 5955-5958——Great number of vessels putting into Cork, *ib.* 5957. 6010. 6017——Return of the number of ships, and of direct emigrants from Cork in each year, from 1834 to 1854, *ib.* 5959. 5961——Extent of the indirect emigration from Cork, *ib.* 5960——Peculiar demands of Cork for a floating hospital, *ib.* 6010——How such hospital should be supported, *ib.* 6010, 6011.

*See* also *Bounty System. Channel Passage. Depôts.*

*Cork Belts.* Unsuccessful use of cork belts adverted to, *W. Watson* 5743.

*Coroners' Juries.* It would greatly facilitate subsequent inquiries if coroners' juries were partly composed of nautical men, *Beechey* 2580; *Walker* 2609-2614; *W. Watson* 5740.

*Cost of Passage.* The usual price of an adult emigrant's passage to America is 3 *l.* from Liverpool and 4 *l.* 10 *s.* from Dublin, *Hutchison* 1292. 1301-1303——The passage-money from the Rhine to New York depends greatly on the competition; the present rate is from 68 to 70 florins, nearly 6 *l.* English, *Philipps* 1796-1798——No difference is made at Limerick in the passage-money, whether a vessel carries a doctor or not, *H. Watson* 3694-3697——Difficulty of Government interference in the matter of the passage-money, *Murdoch* 3820-3830; *Sidney* 4116, 4117——Increased rate of passage-money from Cork to America, *Duross* 4563-4566——Average cost of a passage to Australia as provided by Government, *Edwards* 5236-5238——Enhancement of the cost of passage from Dublin through the difficulty of getting cargoes, *Kerr* 5572.

*Courcy, Captain Michael de, R.N.* See *De Courcy, Captain,* &c.

*Crews:*

1. *Specifications as to Number and Efficiency.*
2. *Proportion of the Crew to the Tonnage considered.*
3. *Efficiency of the Crew; means of testing the same.*
4. *American Vessels.*
5. *Other particulars.*

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1. *Details as to the Society generally.*
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*Passage Money.* Difficulty in withholding the whole, or a portion of the passage-money till the voyage is over, with regard to all vessels proceeding to the United States, *Murdoch* 49-56. 61-63. 65-67——Effect of withholding a portion of the passage-money of emigrants to Australia, *ib.* 59, 60——Security to the Government emigrants in consequence of half the passage-money being retained by the Commissioners; impossibility of extending this plan to American vessels generally, *ib.* 566-568——Suggestion that, instead of the present system of taking a bond, half the passage-money should be placed in the hands of the Emigration Commissioners as a guarantee until the vessel has been reported; advantages of this plan, *Besnard* 4809-4816. 4822-4827. 4829-4831——In the case of pauper emigration, the Poor-law Commissioners retain half the passage-money, *ib.* 4811. 4817, 4818——How far expedient to adopt this system generally, *Rep. p.* xi.

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2. *Further Legislation recommended and considered.*

1. *Its Operation and Advantages:*

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2. *Further Legislation recommended and considered:*

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"*Peru*," *The.* Sufficiency of the dietary scale of the "Peru" (a vessel sent out by witness to Australia), though not quite so full as that supplied by the Commissioners, *Besnard* 4789–4792. 4797, 4798.

*Philipps, William.* (Analysis of his Evidence.) Shipowner and ship-broker in the port of London, 1618——Has been for 21 years consignee of New York and London packet ships, 1619——Packets leave London (calling at Portsmouth) once every week, 1620–1622——Number and class of emigrants sent by witness to New York during the current year, 1623–1625——The proportion of men to the tonnage on board witness's ships has been three men to the 100 tons; opinion that this number is sufficient to work a ship, 1626–1628. 1644——Witness is borne out in this opinion by Mr. Richard Green, 1628–1636——Proportion of men to the tonnage carried by the "Result" on her voyage to Bombay, 1630–1632. 1638–1642——Usefulness of emigrants in working a ship adverted to, 1636. 1817–1820——The ships' crews are exclusive of officers and cooks, 1637. 1640–1643——The American packet ships usually carry three men to every 100 tons, 1638——Concurrence with the report of Captain Walker as to the crew of the "Tayleur," 1645, 1646. 1659.

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Statement as to the inefficiency of the crew of the "Tayleur," 1801-1803. 1808. 1821——English sailors are always preferred to foreigners, 1804-1807——Witness does not impute blame to the emigration officer at Liverpool for passing the "Tayleur"; it is not his province to catechise the crew, 1809, 1810. 1821——Emigrant ships take a pilot as far as Portsmouth, 1813-1816——Suggestion that owners should be compelled to produce the ship's articles to the emigration officer, 1821-1823——Probability of the emigration officer being deceived as to the efficiency of the crew of the "Tayleur," 1824, 1825——Prejudicial practice at Liverpool of prohibiting any weight between decks, 1825——The emigration surveyor for London allows pigs of lead or iron to be placed under the berths in the steerage, to compensate for the dead weight in the hold, 1825, 1826.

*Pilots.* All large vessels sailing from Liverpool should carry a pilot as far as Cork, *Hutchison* 1200-1206. 1230-1233, 1260——Vessels sailing from Cork to Bristol should also have a pilot, *ib.* 1207——Sufficient number of pilots could be obtained in a short time, *ib.* 1231, 1332——Emigrant ships from London take a pilot as far as Portsmouth, *Philipps* 1813-1816——Use of Channel pilots by all ships under witness's superintendence, *Lean* 2066, 2067——Sufficiency of the present regulations with respect to pilots, *Beechey* 2582, 2583.

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*Plans of Vessels.* Suggestion that a plan and section of every vessel, with their general arrangements, &c., be delivered to the emigration officer by the shipowners, within a certain number of days previous to the time of sailing, *Sidney* 4189-4192. 4202-4204. 4241.

*Plugs.* Explanation as to an Indian-rubber safety plug, invented by witness for ships' boats, *W. Watson* 5474, 5475.

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*Queen in Council.* It is desirable that the Queen in Council should have power to make exceptional regulations in certain cases, *Murdoch* 271-273——Powers of the Queen in Council under the 55th section of the Act, *ib.* 3851-3857. 3876, 3877.

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"*Queen Victoria,*" *The.* Reference to the defective composition of the coroner's jury in the case of this wreck, *Walker* 2612-2614.

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*Redmond, Sylvester.* (Analysis of his Evidence.)—Is a newspaper reporter and correspondent at Liverpool; has had very great opportunities of obtaining information as to Australian and American emigration, 1308-1318——Evidence on the subject of "stowaways," or persons discovered on board after the sailing of a ship, 1319-1323——How far the stipulations contained in the Act are observed with regard to the height between decks, 1324-1326——Defective arrangements on board vessels proceeding to America with regard to berths; fifty per cent. of these vessels have no bulkhead, 1327-1364——Demoralising effect of the absence of proper division between the berths of unmarried persons, 1365-1369.

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*Stowage.* With regard to cargoes, the whole question of safety depends on the stowage, *Murdoch* 201——Powers of the emigration officer to regulate the stowage, *ib.* 202-205——Expediency of supervision over the stowage, *ib.* 621——Prejudicial practice at Liverpool of prohibiting any weight between decks, *Philipps* 1825——The emigration surveyor for London allows pigs of lead or iron to be placed under the berths in the steerage to compensate for the dead-weight in the hold, *ib.* 1825, 1826——Witness has occasionally objected to and altered the stowage of the cargo; his power on this point considered, *Lean* 1931-1941. 1950, 1951——Stowing pigs of lead under the berths interferes but slightly with the cleansing of the ship, *ib.* 1946-1948——Examination of vessels chiefly by witness's assistants as to the stowage of the cargo, *ib.* 1953-1955.

Extreme care requisite in the stowage of iron, *Beechey* 2431-2434. 2437. 2533-2538——A special officer has, on witness's recommendation, been appointed to superintend the stowage, *ib.* 2434-2436——Power of witness as to the stowage of cargo, *Schomberg* 3244-3246——Insufficiency of the agent's powers, *Schomberg* 3422-3424; *Murdoch* 3759-3766——Provided the ventilation is good, no objection can be made to cargo being stowed on a portion of the deck, *Murdoch* 3860——Recommendation that all doubt as to the power of the emigration officer to alter the stowage below, as well as on deck, be removed, *Schomberg* 3478 *et seq.*; *Rep. p.* v.

*See* also *Iron Cargoes.* *Stevedores.*

*Stowaways.* Opinion that the stringency of the Act prevents the embarkation of extra passengers after the clearance, *Hutchison* 1042-1045——Occasional ill-usage by captains of the stowaways when discovered on board after sailing, *Redmond* 1320——Some of these, when discovered, have been so ill treated that they have died in consequence, *ib.*——Notwithstanding the utmost diligence being exercised, persons have been found on board after vessels have proceeded to sea, *ib.* 1322——Difficulty of preventing passengers embarking after a vessel has been cleared, *Murdoch* 3785——Beneficial effect of the Canadian Act of 1853 in preventing stowaways, *ib.* 3791, 3792.

*Superintendence of Ports.* A superintending agent or inspector should be appointed to go from port to port in this country, *Chisholm* 3133——All the ports are visited by the Emigration Commissioners from time to time, *Schomberg* 3241-3243.

*Supply of Vessels.* There is always a sufficiency of emigrant vessels, *Walker* 2720, 2721.

Reports, 1854—*continued.*

*SURGEONS:*

1. *Operation of the Act with regard to Surgeons.*
2. *Alterations proposed.*

1. *Operation of the Act with regard to Surgeons:*

Vessels carrying above 500 emigrants are obliged by the Act of 1852 to carry a surgeon, *Murdoch* 165–167. 277, 278——The number of passengers requiring a surgeon was fixed at not less than 500, on the supposition that surgeons could not be procured for all emigrant vessels, *ib.* 277–280——The majority of vessels carry a less number of emigrants than 500, *ib.* 281, 282——Every vessel crossing the tropics and carrying 50 passengers must have a surgeon, *ib.* 285——No difficulty is experienced in obtaining proper surgeons for the Government emigration ships; their salaries, service, &c.; 432–434. 439–445——Very little is known abot the qualifications, &c., of surgeons on board general emigrant vessels, *ib.* 446, 447——The Government agent on board is the surgeon superintendent, *ib.* 555. 571.

Circumstance of a person being appointed as surgeon in an American ship who was not qualified, *Redmond* 1506–1514——A medical inspector is appointed by witness, whose duty it is to ascertain that the medical officer is properly qualified, *Lean* 2020–2025——The emigration inspector has power to object to a medical practitioner, whether he has a diploma or not, *ib.* 2023, 2024——Requirements of the Act with regard to surgeons on board English vessels to Canada, *Douglas* 2817–2819——The surgeons, except on board vessels from London, are generally incompetent, *ib.* 2862, 2863——Different qualifications of the surgeons in different ships, *ib.* 2973.

There is generally a medical practitioner on board vessels cleared from Liverpool, *Schomberg* 3469——Power of objection to the surgeon appointed, *ib.* 3470–3472——Inquiry made into the previous conduct of surgeons, *ib.* 3474——Ships frequently carry one less than the prescribed number, in order to avoid taking a medical man, *H. Watson* 3638–3640——All vessels going to Australia must have a medical man on board, *Murdoch* 3746——Number of vessels which sailed from Liverpool to New York last year, and number that carried medical men, *ib.* 3772, 3773.

2. *Alterations proposed:*

Expediency of providing a surgeon for every ship with 300 emigrants, instead of with 500, as at present, *Murdoch* 283–286. 288; *Kerr* 5637; *De Courcy* 5765. 5809. *Rep. p.* v——Difficulty of providing all vessels carrying passengers with surgeons, *Murdoch* 289. 435. 3726–3728; *Besnard* 4776——No such difficulty would be felt, *H. Watson* 3600——Suggestion that the surgeon should be required to make a report respecting the supplies before receiving the whole of his pay, *O'Doherty* 857–861——Advantages of the surgeon being appointed by the Emigration Commissioners, *ib.* 862–866.

Difficulty of procuring a medical man to every ship carrying 300 passengers, *Lean* 2016–2019——Expediency of greater experience and larger duties in the surgeons of emigrant ships, *Beechey* 2601——There should be a surgeon for all vessels carrying more than fifty passengers, *Douglas* 2829——Difficulty of getting a sufficient number of medical men to supply all vessels carrying forty or fifty passengers, *Schomberg* 3473——Every emigrant ship should carry a medical man, *H. Watson* 3628–3634; *Besnard* 4776, 4777——Belief that a tax of 4*s.* on each passenger, to be paid to the surgeon, would not tend to lessen the amount of emigration, *H. Watson* 3596, 3597.

Expediency of remunerating the surgeons much better than at present; suggestions on this point, *Schomberg* 3216, 3217. 3475–3477; *H. Watson* 3595; *Rep. p.* v, vi.

*See* also *Epidemics. Limerick.*

*Surveys.* Practice as to the survey of passenger vessels by the Emigration Board, *Murdoch* 346–348. 353–363. 575——The surveyor's report should determine the seaworthiness, *Beechey* 2519——Every ship carrying passengers should be surveyed by a Government officer, *Chisholm* 3105, 3106——Instances of appeals being made against the decision of the Government surveyor, *Schomberg* 3510, 3511——Vessels should be subject to the official opinion of the emigration inspector, *ib.* 3514–3516——Vessels from Liverpool are generally surveyed in the river; circumstances under which the survey is made in dock, *ib.* 3561–3563.

A survey by the emigration officer is a much greater protection than a vessel being classed at Lloyd's, *Murdoch* 3815, 3816——The Government inspection is a protection to the emigrants, *Richards* 5194——Rigid inspection of the vessels by the surveyors attached to the staff, *Kerr* 5465. 5467, 5468——Practice of witness as to ordering the surveys, *ib.* 5525.——*See* also *Rejection of Vessels.*

Reports, 1854—*continued.*

T.

*"Tayleur," The:*

1. *Number and Quality of the Crew.*
2. *Compasses.*
3. *Sailing Qualities of the Vessel.*
4. *Other Evidence generally.*

1. *Number and Quality of the Crew:*

Difference of opinion between the Liverpool emigration agent and Captain Walker, as to the sufficiency of the number of the crew, *Murdoch* 243-246——Inadequacy and inefficiency of the crew, *Hutchison* 1085-1088. 1100——Concurrence with the report of Captain Walker, that the crew of the "Tayleur" was short in number for a voyage through the tropics, *Philipps* 1645, 1646. 1659——Further statement as to the inefficiency of the crew, *ib.* 1801-1803. 1808. 1821——Witness does not impute blame to the emigration officer at Liverpool for passing the "Tayleur;" it is not his province to catechise the crew, *ib.* 1809, 1810. 1821——Probability of his being deceived as to the efficiency of the crew, *ib.* 1824, 1825——Particulars as to the crew of the "Tayleur;" inefficiency thereof as regards numbers, and probably as regards ability, *Walker* 2648-2653. 2674-2678. 2683——She was above 2,000 tons, and had a working crew of only forty-one persons, including six boys, *ib.* 2649.

2. *Compasses:*

Proper state of the compasses of the "Tayleur" when she was swung before she went to sea, *Murdoch* 368-370. 376——The compasses of the "Tayleur" were examined, but she was not swung before sailing, *Schomberg* 3465——They did not get out of order till the vessel began to heel, *ib.*——Belief that the loss of the "Tayleur" was not owing to her compasses being out of order, *Hyde* 5449-5451.

No sufficient reason has been given why the vessel was not swung after she had received her cargo of iron, *Rep. p.* x——Nor why the usual table of errors, in reference to the results of her first "swinging," was not supplied, as an assistance to the captain in his correction of her courses, *ib.*

3. *Sailing Qualities of the Vessel:*

Circumstance of the "Tayleur" having been very unmanageable, *Hutchison* 1210, 1211. 1213; *Beechey* 2506——Opinion as to the cause of the "Tayleur" not answering her helm, *Lean* 1929-1931——Particulars as to the qualities of the "Tayleur," with regard to "wearing" her; belief that she was quite manageable, *Walker* 2694. 2698-2710. 2724-2728. 2781——Opinion that she was as fine a vessel as ever went to sea, *ib.* 2781——Witness attributes the loss of the "Tayleur" to her having been unmanageable, *Kerr* 5664, 5665——A trial trip would certainly have been desirable, as the results prove, *De Courcy* 5883-5889.

4. *Other Evidence generally:*

Probability of the "Tayleur" being saved if the Liverpool pilot had remained on board, *Hutchison* 1215-1218——Defective nature of the inquiry by the coroner's jury adverted to, *Walker* 2609-2611——Opinion that the loss of the vessel was owing to the master mistaking his position, *ib.* 2699, 2700. 2704-2708. 2723. 2786——Soundings were not taken by the "Tayleur" after leaving Liverpool, *ib.* 2784, 2785——Possibility of her being saved, had there been time to cut away the masts and let go the anchors, *ib.* 2787, 2788——Forwarding of the passengers saved from the wreck adverted to, *Schomberg* 3567——If there had been a common rung ladder on board, to expedite the landing of the passengers, more lives would have been saved, *Hyde* 5459.

*"Telegraph," the Steamer.* Accommodation for deck passengers on board the "Telegraph," belonging to the Belfast Steam Company, *Duross* 4368-4373; *Besnard* 4907.

*"Thetis," The.* This vessel was recently detained at Limerick, in consequence of the medical man not being qualified, *H. Watson* 3585. 3593, 3594.

*Timber Vessels.* Inferior quality of the timber vessels carrying emigrants, *Hutchison* 1128. 1130——They should be excluded from carrying emigrants, except during the summer months, *ib.* 1137, 1138. 1142-1147——Timber vessels are well adapted for emigrant ships, *Douglas* 2874——The ships from Cork to America return laden with timber, *Duross* 4419, 4420.

*"Times," the Steamer.* Reference to the care bestowed by the captain on the condition of the deck passengers from Dublin to Liverpool, *Redmond* 1537, 1538. 1575, 1576——Had there been a covering over the deck, the lives of the passengers most probably would have been saved on the occasion of the bursting of the boiler, *ib.* 1576.

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*Train & Co.* Slight comparative rate of mortality in some of Messrs. Train & Co.'s vessels, *Murdoch* 104–106. 109.

*Tralee.* Tralee is the only Irish port, not having an emigration officer, from which there is considerable emigration, *Murdoch* 306.

*Transfer of Passengers.* The practice of transferring passengers should be discontinued, *Schomberg* 3364——Proposal for indemnifying passengers on being transferred from one ship to another, *Besnard* 4855.——*See* also "*E. Z.*," *The.*

*Trial Trips.* Vessels that have not performed a voyage of some sort or other should be restricted from carrying emigrants, *Murdoch* 537——Doubtful expediency of enacting that no vessel should take emigrants that had not previously been to sea on a trial trip, *Hutchison* 1208–1214; *Lean* 1924–1928; *Walker* 2703–2711; *Schomberg* 3429–3431——Circumstances under which such trials would be advisable, *Beechey* 2501–2509——Evidence to the effect that it is not necessary that every ordinarily built vessel should make a trial voyage before taking out emigrants, *Walker* 2693–2698. 2701–2703. 2713–2717. 2722. 2730——Advisability of new vessels making their first voyage without passengers, *Schomberg* 3558–3560——Advantage of trial trips of some iron vessels, though not necessary in the case of wooden ships, *De Courcy* 5874–5878. 5881, 5882——Advantage of testing the capabilities of untried vessels of extraordinary construction before proceeding with them on the voyage, *Rep. p.* x.

## U.

*Uncleanliness of Emigrants.* The uncleanliness of the emigrants is in a great measure the cause of the mortality, *Murdoch* 290. 324, 325; *Hutchison* 1248, 1249——Filth arising from the decks not being caulked; the Act contains no obligation on this point, *Hutchison* 983–985——Impossibility of emigrants being cleanly with the present defective arrangements, *Chisholm* 3114.

*UNITED STATES:*

1. *Particulars relative to the Emigrants and the Vessels.*
2. *Operation of the English and American Acts; Co-operation advisable.*

1. *Particulars relative to the Emigrants and the Vessels:*

Large proportion of the total number of emigrants bound for the United States, *Murdoch* 10. 63——Number of English and foreign vessels, and number of emigrants conveyed to the United States in 1853, *ib.* 63, 64——The passages to New York generally occupy five or six weeks, *O'Doherty* 721——Number of vessels proceeding to America visited by witness at Queenstown during the last twelve months, *Hutchison* 960–965.

Witness has been for twenty-one years consignee of New York and London packet ships, *Philipps* 1619——Packets leave London (calling at Portsmouth) once every week; extra vessels are sometimes sent, *ib.* 1620–1622. 1766——Number and class of emigrants sent by witness to New York during the current year, *ib.* 1623–1625——The average number of emigrants from London to America in a year is from 15,000 to 20,000, *Lean* 1834——Number of sailing vessels from Cork to America, and average number of passengers taken by them, *Duross* 4400–4402——Emigrants writing to their friends, recommend them to come direct to New York, *ib.* 4577. 4585——Increased number and superior class of emigrants proceeding from Ireland to America at the present time, as compared with five or six years since, *Besnard* 4833–4835.

2. *Operation of the English and American Acts; Co-operation advisable:*

Importance of some arrangement being made by the Government of the United States to ascertain the number of persons on board on the arrival of a ship, and also to legislate generally for the carrying out of the Act, *Murdoch* 19–23. 26. 44, 45. 88. 681——A master could only be bound by the American law to obtain the consul's certificate before landing his passengers, *ib.* 37–41——Copies of the Act of Parliament are posted up on board the ships from Liverpool to America, and were often referred to by witness in his voyages as surgeon, *O'Doherty* 742–746. 837.

Stringent provisions of the American Passengers Act, *Philipps* 1715, 1716. 1725, 1726——Statistical returns are made of the general emigration to the United States, *ib.* 1733–1736——Officers are appointed by the American government to examine vessels on their arrival at the quarantine ground at Governor's Island, *ib.* 1715–1724. 1748–1750——Circumstances under which the master of an American ship, from Glasgow to New York, was prosecuted and fined at Philadelphia, *Beechey* 2605, 2606——Rigid examination of our vessels on their arrival at the United States, *Kerr* 5516.

Difficulty in procuring information as to the operation of the Act in regard to vessels to the United States, *Rep. p.* iii.; *Lean* 1968—— Absence of returns and statistics from the United States adverted to, *Rep. p.* iii, iv.——Recommendation that the co-operation

of

Reports, 1854—*continued.*

*UNITED STATES*—continued.

2. *Operation of the English and American Acts, &c.*—continued.

of the American government be, if possible, obtained towards an Amended Passengers Act, to be enforced in the United States courts, *Rep. p.* iv, xii; *Murdoch* 19 *et seq.* 88. 681; *Beechey* 2601–2604.

*See* also *American Vessels. Berths. Bulkheads. Cost of Passage. Crews. Diet. Dublin. Latter Day Saints. Liverpool. Mortality. Passengers Act. Separation of the Sexes. Space. Surgeons. Winter Months.*

*Unmanageable Vessels.* The cases are very isolated in which new vessels are unmanageable, *Lean* 1928——Advantage of the master being bound to return upon discovering that his vessel was unmanageable, *Walker* 2712. 2729; *Schomberg* 3432, 3433; *De Courcy* 5879, 5880; *Rep. p.* x.——*See* also *Trial Trips.*

*Utah.* See *Latter Day Saints.*

V.

*Ventilation.* The arrangements for ventilation, &c., are necessarily the same in all ships going to the United States, *Murdoch* 120, 121——Necessity of some plan being adopted to ventilate the lower decks, *Hutchison* 1194–1199——Insufficient manner in which vessels are at present ventilated; suggestions for improving the same; *Redmond* 1423–1451; *Douglas* 2886, 2887. 2960–2964; *Sidney* 4192–4201——In heavy weather the lower deck is preferable, on account of the improved ventilation, *Philipps* 1779–1781——Difficulty of perfectly ventilating a vessel, *Douglas* 2849–2857——The ventilation is being greatly improved, *Chisholm* 3119, 3120.

Advantages of louvred or open-work bulkheads as a means of ventilation, *Schomberg* 3198; *Besnard* 4679——Difficulty of combining perfect ventilation with scrupulous decency, *Schomberg* 3296–3301——Advantage of some definite system of ventilation, *Sidney* 4192–4196——Power of the emigration officer under the 23d section of the Act with regard to ventilating apparatus, *ib.* 4205–4215——There is no necessity for caulking the decks of Irish emigrant vessels; improvement of the ventilation by leaving the decks open, *Kerr*, 5528–5531. 5533–5537. 5550——Different modes of ventilating, *De Courcy* 5855, 5856——Difficulty of laying down any fixed mode, *ib.* 5857, 5858——Advantage of the American system of doors over the hatchways, *ib.* 6004–6007.

Recommended adoption of a raised housing or booby-hatch around the hatchways on the upper deck, whereby, in most weathers, windows or scuttles in the lee-side of those housings can be kept open, and the extreme measure of battening down the hatches be avoided, *Rep. p.* viii.——*See* also *Bulkheads.*

W.

*"Walaga," The.* Document delivered in by witness, being the opinion and decision of Judge Kane, delivered in the district court of the United States, in Philadelphia, as to the responsibility of the master of the "Walaga" to carry out the engagements made by an agent at Cork to forward the emigrants from Philadelphia to New York, *Milnes* 4311.

*Walker, Captain W. H.* (Analysis of his Evidence.)—Duties of witness under the Board of Trade, 2607——He investigated the case of the "Tayleur," 2608——It would greatly facilitate subsequent inquiries if the coroner's jury was partly composed of nautical men, 2609–2614——Vessels going to Australia, or passing through the tropics, should have four men to the 100 tons, 2616. 2621. 2624. 2736——The proportion of men to the tonnage should be left generally to the discretion of the emigration officer, 2616–2623. 2625. 2634–2642. 2654–2658. 2671——Requisite proportion of able-bodied and ordinary seamen, 2626, 2627. 2630. 2682——The character of the men can be better judged by their discharged tickets than by the ship's articles, 2631–2633. 2685–2688——Extent to which it would be advisable to modify the recent order with respect to the number of crew to the tonnage, 2634–2647——This order cited, 2641.

Particulars as to the crew of the "Tayleur;" inefficiency thereof, 2648–2653. 2674–2678. 2683——The number of the crew should greatly depend on the manner in which a ship is rigged, 2655. 2661, 2662——American vessels are generally lighter rigged than English vessels, and require fewer men to work them, 2663–2670——The proportion of men to the tonnage should be exclusive of the master, surgeon, one cook and steward, 2672, 2673. 2679–2681——There can be no objection to putting the crew through some evolutions, in order to test their efficiency, 2689–2692——Evidence to the effect that it is not necessary that every ordinary built vessel should make a trial voyage before taking

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*Walker, Captain W. H.* (Analysis of his Evidence)—*continued.*

out emigrants, 2693-2698. 2701-2703. 2713-2717. 2722. 2730——Particulars as to the qualities of the "Tayleur,' with regard to "wearing" her; belief that she was quite manageable, 2694. 2698-2710. 2724-2728. 2781——Opinion that her loss was owing to the master mistaking his position, 2699, 2700. 2704-2708. 2723. 2786.

The proposed trial trips would be a very inconvenient and expensive experiment, 2703. 2711——The master should be bound to return immediately on discovering his ship to be unmanageable, 2712. 2729——The bulkheads, &c. must be removed before vessels can ship a cargo, 2718, 2719——There is always a sufficiency of emigrant vessels, 2720, 2721——Many British North American vessels are chartered to convey emigrants, 2731 ——It is very desirable that a certain quantity of water should be carried in iron tanks, 2732-2735——A life-boat, combining the advantages of being portable, and not expensive, and which could be easily stowed away, would be very beneficial, 2736. 2738, 2739. 2741, 2742. 2745-2749——Every passenger vessel (including steamers) carries an ordinary life-boat, which is generally hoisted on the quarter, 2737-2740. 2750-2752——Inefficiency of the ordinary life-boats, 2743, 2744. 2746-2748. 2753-2757. 2759, 2760——Advantage of having a life-boat on either quarter, 2758-2761.

How far advisable that emigrant vessels should be supplied with cork jackets, or floating beds for each passenger, 2762-2766——Propriety of passenger vessels being supplied with apparatus for throwing a line on shore, 2768——Witness has nothing whatever to do with the internal arrangements, or the dietary, 2769-2771——Suggestion that the emigration officer should see that there is an azimuth compass, barometer, chronometer, &c. on board, and that each vessel has the Admiralty charts, 2772-2774——Vessels should be perfectly equipped for sea before their compasses are adjusted, 2776-2778——Opinion that the "Tayleur" was as fine a vessel as ever went to sea, 2781——Belief that an iron mast would go if the lanyards of the rigging were cut, 2783——Soundings were not taken by the "Tayleur" after leaving Liverpool, 2784, 2785——Possibility of the "Tayleur" being saved had there been time to cut away the masts, and let go the anchors, 2787, 2788.

*Washing Accommodation.* Advantage of some arrangements on board by which passengers might wash their persons and clothes; how far there is any restriction on this point, *De Courcy* 5984-6993.

*WATER:*

1. *Quality and Quantity of the Supply.*
2. *Advantages of Iron Casks or Tanks over Wooden Casks for preserving the Water.*

1. *Quality and Quantity of the Supply:*

Passengers frequently do not get their allowance of water, *O'Doherty* 801, 802——Suggestion that the allowance of water be increased during the summer time to four or five quarts per diem: in the winter time the present allowance is sufficient, *ib.* 802-806 ——Insufficiency of the present allowance, *Redmond* 1487——Full power is given to the emigration agent to inspect the water carried, *Lean* 2027——Very good water is now supplied, *ib.* 2028——Process of filtering Thames water for emigrants, *ib.* 2028-2031.

The present allowance of water is sufficient, if the full quantity be given and the casks be good, *Chisholm* 3123-3125——Witness has never heard of any failure of water, *Duross* 4523——Suggestion that the legal allowance of water (including that used in cooking, &c.) for each emigrant should be a gallon instead of three quarts daily, *Kerr* 5573-5579. 5622——Recommendation that infants be allowed half as much water as adults, *ib.* 5615-5618. 5622——Recommended increase in the daily allowance of water, *De Courcy* 5767. 5769-5771——Three quarts should be given to the emigrants, and one quart reserved for cooking, *ib.* 5771.

2. *Advantages of Iron Casks or Tanks over Wooden Casks for preserving the Water:*

The water is carried in wooden casks, which are inspected by the emigration officer, *Murdoch* 588-592; *Duross* 4520-4524——The casks are frequently in a rotten state, *O'Doherty* 799, 800——Objection to the wood used in the heads of the cask, *Redmond* 1481-1485; *Kerr* 5580. 5582-5584——The inside is never charred, so far as witness has observed, *Redmond* 1482, 1483——Unfitness of the wooden water breakers taken by the emigrants themselves in the ships to America, *Duross* 4446; *Besnard* 4850, 4851——Suggestion for the better examination of the water-casks, *Besnard* 4741-4745 ——Reference to a newly-invented iron cask as being vastly superior to the wooden cask, *Murdoch* 592-594——Greater advantages of iron casks than of tanks for preserving the water, *ib.* 593, 594——It is very desirable that every vessel should carry a certain proportion of the water in iron casks or tanks, *Redmond* 1486; *Lean* 1983; *Beechey* 2566-2572; *Walker* 4746, 4747; *Rep. p.* xii——Advantage of metal water-casks.

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*WATER*—continued.

2. *Advantages of Iron Casks or Casks over Wooden Casks, &c.*—continued.

casks, *Schomberg* 3478——Expense of carrying a portion of the water in iron tanks or casks, though very desirable to do so, *Besnard* 4746, 4747 —— Superiority of iron casks over wooden ones for preserving the water, *Kerr* 5580; *De Courcy* 5842-5845 ——Great expense and inconvenience of using iron casks in the small vessels that sail from Dublin, *Kerr* 5580.

*Water-closets.* Situations and construction, &c. of water-closets on board emigrant ships; great difficulties and inconvenience experienced in respect to the same, *Murdoch* 390-396; *De Courcy* 5784-5788. 5850-5854——Nuisance of having them between decks, *Murdoch* 390. 394, 395——Practicability and expediency of constructing water-closets between decks, *Hutchison* 1035-1038. 1262, 1263; *Redmond* 1408. 1420-1422; *Lean* 2009——There would be no difficulty in having tanks filled with sea water for cleansing them, *Hutchison* 1037. 1263 —— Unsatisfactory arrangements with respect to water-closets on the decks of private vessels; alterations suggested, *Redmond* 1390-1405. 1409-1422; *Lean* 2004-2012; *Schomberg* 3310, 3311. 3318. 3322-3325; *H. Watson* 3650-3656; *Duross* 4448-4457; *Kerr* 5476-5491——Arrangements with regard to water-closets and privies on board Government vessels; improvements of late, *Lean* 1996-2006.

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